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Sunshine Ordinance Task Force

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-7724
Fax No. 554-7854
TDD/TTY No. 544-5227

http://www.sfgov.org/sunshine

SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
MEETING AGENDA

Tuesday, January 12, 2010
4:00 p.m., City Hall, Room 406

Committee Members: Erica Craven-Green (Chair), Richard Knee, Allyson Washburn, Doyle Johnson, Nick Goldman

Note: Public comment on items not listed on the agenda (Item # 6) will be taken at 5:00 p.m. or as soon thereafter as possible.

Call to Order, Roll Call, Agenda Changes

1. Approval of December 8, 2009, meeting minutes (action)(attachment)(5 min)

2. 09070 Hearing on the status of the December 1, 2009, Order of Determination of Anmarie Mabbutt against the Department of Recreation and Park. (discussion and possible action item) (attachment) (15 min)

3. Developing recommendations for the proposed electronic document retention policy of the Sunshine Ordinance Task Force (discussion and possible action item) (attachment) (15 min)

4. Discussion on the proposed amendments to the Sunshine Ordinance (discussion and possible action item) (attachment) (15 min)

5. Administrator's Report. (discussion only) (attachment)

6. Public Comment on items not listed on the agenda (no action) (no attachment)

7. Announcements, questions, and future agenda items from Committee members (discussion only) (no attachment)

Adjournment

Next regularly scheduled meeting: Feb. 9, 2010

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MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations. Any person speaking during a public comment period may supply a written summary of his/her comments, which, if no more than 150 words, shall be included in the minutes. (*Section 67.16*)

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the proceeding begins, written comments regarding the subject of the meeting or hearing; these comments will be part of the official public record. (*Section 67.7-1 (c)*)

Persons wishing to comment at meetings of the Task Force and its committees are encouraged to fill out speaker cards to ensure accuracy of identification. This is not a requirement; speakers may remain anonymous.

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	(Above total speaking times for Complainant and City to be the same.)	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment *(Excluding Complainant & City response, witnesses)*	Up to 3 minutes each
7.	Vote by Task Force *(Public comment at discretion of chair on new motion and/or on new motion if vote fails.)*	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

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Sunshine Ordinance Task Force - Compliance & Amendments Committee

January 12, 2010

SUNSHINE ORDINANCE TASK FORCE

COMPLIANCE AND AMENDMENTS COMMITTEE

MEETING MINUTES

Tuesday, January 12, 2010

4:00 p.m., City Hall, Room 406

Committee Members: Erica Craven-Green (Chair), Richard Knee, Allyson Washburn, Doyle Johnson, Nick Goldman

Call to Order: 4:00 p.m.

Roll Call: Present: Craven-Green, Knee, Washburn, Johnson, Goldman

Deputy City Attorney: Jerry Threet

Clerk: Chris Rustom

Agenda Changes: None

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1. Approval of December 8, 2009, meeting minutes.

   Motion to approve December 8, 2009, meeting minutes (Goldman / Johnson)

   Public Comment: None

   On the motion:

   Ayes: Knee, Washburn, Johnson, Goldman Craven-Green

2. 09070 Hearing on the status of the December 1, 2009, Order of Determination of Anmarie Mabbutt against the Department of Recreation and Park.

   Complainant Anmarie Mabbutt was not present. She had earlier contacted the Task Force to say that she would not be in attendance because of an illness. There was no one in the audience to present facts and evidence in support of the complainant.

   Respondent Olive Gong, Custodian of Records for the Department of Recreation and Park, said the department, according to Ron Vinson of the Department of Technology, does not have the capability but is working on the issue. On Terry Schwartz' emails, a search was done and 43 pages worth of emails was provided to Ms. Mabbutt. on November 4, 2009. She also said if there was communication between Ms. Mabbutt and Ms. Schwartz, only they would know what occurred.

   Chair Craven-Green said an email should go out to Ms. Mabbutt asking her to submit any evidence such as copies of emails that she has from Terry Schwartz that were not included in the department's 43-page response. This would show what the department has not produced. Ms. Gong is to follow up with General Manager Phil Ginsberg and Mr. Vinson to see if there was a definite time frame as to when the postings are to be available online.

   Matter continued to next meeting. Without objection.

   Public Comment: None

3. Developing recommendations for the proposed electronic document retention policy of the Sunshine Ordinance Task Force.

   Members discussed the topic and later decided to invite a representative from COIT to make a presentation regarding the status of the Microsoft Exchange program, specifically how and what is being done with respect to developing policies on archiving emails, capacity issues , retrieval, search and storage of emails and other electronic documents.

Matter continued to next regularly scheduled meeting. Without objection.

Public Comment: None

4. Discussion on the proposed amendments to the Sunshine Ordinance.

Chair Craven-Green said Sections 67.3 and 67.4 on the definitions of passive and policy bodies need to be revisited and check it for clarity.

Matter continued to next meeting. Without objection

Public Comment: None

5. Administrator's Report.

Mr. Rustom made the report.

Public Comment: None

6. Public Comment on items not listed on the agenda. None

7. Announcements, questions, and future agenda items from Committee members.

Member Knee said his attendance at the next regular meeting depends on how well he recuperates from his medical procedure. He also said the Society of Professional Journalists has extended the deadline for the James Madison Award nominations.

Adjournment **The meeting adjourned at 5:10 p.m.**

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
MEETING AGENDA

Tuesday, February 9, 2010
4:00 p.m., City Hall, Room 406

Committee Members: Erica Craven-Green (Chair), Richard Knee, Allyson Washburn, Doyle Johnson, Nick Goldman

Note: Public comment on items not listed on the agenda (Item # 11) will be taken at 5:00 p.m. or as soon thereafter as possible.

Call to Order, Roll Call, Agenda Changes

1. Approval of January 12, 2010, meeting minutes (action)(attachment) (5 min)

2. 09070 Hearing on the status of the December 1, 2009, Order of Determination of Anmarie Mabbutt against the Department of Recreation and Park. (discussion and possible action item) (attachment) (15 min)

3. 09069 Hearing on the status of the December 1, 2009 and January 5, 2010, Orders of Determination of Asian Law Caucus against the Mayor's Office. (discussion and possible action item) (attachment) (15 min)

4. 09082 Hearing on the status of the January 5, 2010, Order of Determination of Melvyn Banks against the Department of Public Health. (discussion and possible action item) (attachment) (15 min)

5. 09078 Hearing on the status of the January 5, 2010, Order of Determination of Anonymous Tenants against the Planning Department. (discussion and possible action item) (attachment) (15 min)

6. 09083 Hearing on the status of the January 5, 2010, Order of Determination of Ellen Tsang against the Department of Building Inspection. (discussion and possible action item) (attachment) (15 min)

7. 09085 Hearing on the status of the January 5, 2010, Order of Determination of Mike Addario against the Arts Commission. (discussion and possible action item) (attachment) (15 min)

8. Developing recommendations for the proposed electronic document retention policy of the Sunshine Ordinance Task Force and possible presentation from COIT on

status of conversion of City email systems to Microsoft Exchange. (discussion and possible action item) (attachment) (15 min)

9. Discussion on the proposed amendments to the Sunshine Ordinance: Article II, including but not limited to Sections 67.3 and 67.4, definitions of meetings of policy bodies and passive bodies. (discussion and possible action item) (attachment) (15 min)

10. Administrator's Report. (discussion only) (attachment)

11. Public Comment on items not listed on the agenda (no action) (no attachment)

12. Announcements, questions, and future agenda items from Committee members (discussion only) (no attachment)

Adjournment **Next regularly scheduled meeting: March. 9, 2010**

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SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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Sunshine Ordinance Task Force - Compliance & Amendments Committee

February 9, 2010

SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
MEETING MINUTES
Tuesday, February 9, 2010
4:00 p.m., City Hall, Room 406

Committee Members: Erica Craven-Green (Chair), Richard Knee, Allyson Washburn, Doyle Johnson, Nick Goldman

Call to Order: 4:00 p.m.

Roll Call: Present: Craven-Green, Knee, Washburn, Johnson, Goldman

Deputy City Attorney: Jerry Threet
Clerk: Chris Rustom

Agenda Changes: None

1. Approval of January 12, 2010, meeting minutes.

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Motion to approve January 12, 2010, meeting minutes. (Goldman / Washburn)

Public Comment: None

On the motion:
Ayes: Knee, Washburn, Johnson, Goldman, Craven-Green

2. 09070 Hearing on the status of the December 1, 2009, Order of Determination of Anmarie Mabbutt against the Department of Recreation and Park.

The Complainant was not present. There was nobody in the audience to present facts and evidence in support of the complainant.

Respondent Olive Gong, Custodian for the Recreation and Park Department, said the department has provided 43 pages of emails regarding Terry Schwartz. On the posting of audio on line, she said Ron Vinson, the director of the Department of Technology, has said that he is working with staff to implement it this fiscal year.

After further discussion, Chair Craven-Green asked Ms. Gong to inquire when Dr. Schwartz's started working for the department and when it ended. She also asked Ms. Gong to inquire the parameters used in searching for the email Ms Mabbutt claimed that the department had not produced. Chair Craven-Green also said Ms. Mabbutt would be asked to produce the email that she says exists

Public Comment: Melvyn Banks said the data should be recoverable from the department's backup server.

Ms. Gong did not make any closing remarks.

Matter continued to March 9, 2010, meeting. Without objection.

3. 09069 Hearing on the status of the December 1, 2009, and January 5, 2010, Orders of Determination of Asian Law Caucus against the Mayor's Office.

The Complainant was not present. There was nobody in the audience to present facts and evidence in support of the complainant.

The Respondent was not present. There was nobody in the audience to present facts and evidence in support of the complainant.

A motion was made after members discussed how to proceed with the matter.

Motion to send matter back to the full Task Force for possible referral to the Ethics Commission with a finding of willful failure to comply with the Order of Determination and willful failure to comply with the requirement to appear at the hearings and willful failure to provide justification for withholding under Sec(s) 67.34 and 67.30 (c). (Johnson / Goldman)

Member Knee wanted to make a friendly motion to include Sec(s) 67.21 e and 67.27.

The friendly motion was accepted.

Public Comment: None

On the motion:
Ayes: Knee, Washburn, Johnson, Goldman, Craven-Green

A Point of Order was called after #4 because of the complainant's presence in the audience. Chair Craven-Green told Angela Chan of the Asian Law Caucus of the Committee's decision.

4. 09082 Hearing on the status of the January 5, 2010, Order of Determination of Melvyn Banks against the Department of Public Health.

Complainant Melvyn Banks wanted to know why his other case #09077 was sent to the Education, Outreach and Training Committee when the minutes show that the motion was to send it to this committee. In this case, he said he has received some information from the department but wanted more information to know the reasons behind the Local Share Mandate Policy.

The Respondent was not present. There was nobody in the audience to present facts and evidence in support of the respondent.
Member Washburn said the department had produced something but there was a lack of assistance on the department's part in trying to help Mr. Banks get what he wants.

After further discussion Mr. Banks was told that he needed to make a broad request to get the information he needed.

Mr. Banks agreed.

On the issue of #09077, Member Knee, who is the chair of the Task Force, said that case was about an open meeting violation and was best dealt with by the Education, Outreach and Training Committee. This case, he said, was about documents and best handled by this committee.

Matter concluded.

5. 09078 Hearing on the status of the January 5, 2010, Order of Determination of Anonymous Tenants against the Planning Department.

Complainant Anonymous Tenants said he has not received anything from the Planning Department and requested that the matter be forwarded to the Ethics Commission because the respondent was willfully violating the law.

Respondent Brian Smith, senior Information Technology and Operations Manager of the Planning Department, said the complainants had requested documentation regarding a Hyde Street property. All related materials, he said, were placed in a box ready for the complainant's review and for two weeks nobody came. He also said there was an email exchange with Anonymous Tenants regarding photos and 3R reports, which did not exist in this case. He said Anonymous Tenants was informed that the photos and 3R reports did not exist but was encouraged to come and review the documents personally.

Members then asked the complainant and respondent to verify the existence or non-existence of photos.

In closing, Anonymous Tenants said Mr. Smith was only saying what the Committee wanted to hear.

Public Comment: Ellen Tsang said she and the complainant went to the department and spent hours looking at the materials. She said they were denied information that had to be part of the file before a building permit is issued.

Motion to continue the matter to the next regularly scheduled meeting and for the department to provide the process involved in issuing a permit. (Knee / Johnson)

Chair Craven-Green said no further action should be taken because there was a lack of proof on both sides to show whether the docket did or did not contain photos. The department's cataloguing process, she said, was not a matter of the Task Force.

Member Knee said he agreed with Chair Craven-Green. He said there was nothing that this committee or the Task Force could do in this case. Motion to find no further action. Without objection.

6. 09083 Hearing on the status of the January 5, 2010, Order of Determination of Ellen Tsang against the Department of Building Inspection.

Complainant Ellen Tsang said the Department of Building Inspection has provided her with the document she requested.

Respondent William Strawn of the Department of Building Inspection said the document and several other files, were at the vendor for digitizing and an exception had to be made to meet the Order of Determination. He also said the department has a multi-year budget to digitalize all of its records.

Member Knee said the Order of Determination has been met and no further action was necessary.

In closing, Ms. Tsang said Mr. Strawn needs to concentrate on one document and not muddle the scene by bring in other issues.

Public Comment: None

Chair Craven-Green announced that the matter is concluded.

7. 09085 Hearing on the status of the January 5, 2010, Order of Determination of Mike Addario against the Arts Commission.

Complainant Mike Addario said he had asked the Arts Commission for the Street Artists Program's yearend statement and was given some numbers by the respondent Howard Lazar. Mr. Lazar, however, could not back up the numbers, he said. The program's budget committee has voted on an increase in the next financial budget to cover costs associated with responding to document requests through the City Attorney's Office, he said.

The Respondent was not present. There was nobody in the audience to present facts and evidence in support of the respondent.

Member Knee wanted to know if the Arts Commission had provided what he wanted. Mr. Addario said his issue was a document that appeared to have been doctored, but that all documents had been provided.

Chair Craven-Green said she was concerned by the Street Artists Program charging members to pay for public record requests. The Ordinance, she said, requires every City and County employee to respond to public record requests. She requested that the Task Force chair refer the matter to the Education, Outreach and Training Committee.

Member Knee shared her concern and agreed to forward it to the Education, Outreach and Training Committee.

Public Comment: None

In closing, Mr. Addario said the Arts Commission certainly needs the training.

No further action.

8. Developing recommendations for the proposed electronic document retention policy of the Sunshine Ordinance Task Force and possible presentation from COIT on status of conversion of City email systems to Microsoft Exchange.

Richard Robinson, Chief Operations Officer for the Department of Technology made the report.

9. Discussion on the proposed amendments to the Sunshine Ordinance: Article II, including but not limited to Sections 67.3 and 67.4, definitions of meetings of policy bodies and passive bodies.

Members discusses the changes and continued the matter to next month.

10. Administrator's Report.

Mr. Rustom made the report

11. Public Comment on items not listed on the agenda. None

12. Announcements, questions, and future agenda items from Committee members.: None

Adjournment The meeting adjourned at 5:10 p.m.

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SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
SPECIAL MEETING AGENDA

Tuesday, March 3, 2010
4:00 p.m., City Hall, Room 406

Committee Members: Erica Craven-Green (Chair), Richard Knee, Allyson Washburn, Doyle Johnson, Nick Goldman

Note: Public comment on items not listed on the agenda (Item # 2) will be taken at 5:00 p.m. or as soon thereafter as possible.

Call to Order, Roll Call, Agenda Changes

1. Consideration of proposed amendments to Articles I through IV of the Sunshine Ordinance (discussion and possible action item) (attachment) (60 min)

2. Public Comment on items not listed on the agenda (no action) (no attachment)

Adjournment

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Next regularly scheduled meeting: March. 9, 2010

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Sunshine Ordinance Task Force - Compliance & Amendments Committee

March 3, 2010, Special

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SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
SPECIAL MEETING MINUTES

Wednesday, March 3, 2010
4:00 p.m., City Hall, Room 406

Committee Members: Erica Craven-Green (Chair), Richard Knee, Allyson Washburn, Doyle Johnson, Nick Goldman

Call to Order: 4:00 p.m.

Roll Call: Present: Craven-Green, Knee, Washburn, Johnson, Goldman
Excused: Goldman

Deputy City Attorney: Jerry Threet
Clerk: Chris Rustom

Agenda Changes: None

1. Consideration of proposed amendments to Articles I through IV of the Sunshine Ordinance.

Members discussed the following:

Edit titles
New Section 67.20(a) – add "s" to 4th line "requests" in line 6.

New Section 67.20(c)(4) –add comma, delete "or" and add "or custodian of records" after policy body. Should read "by the Department, Policy Body, or custodian of records. . . ." on line 17.

New Section 67.20(e) – (line 10) In second sentence, remove "City Attorney" and insert "department, policy body or custodian of records." Should read "However, where a requested record contains information, the majority of which is exempt from disclosure under the California Public Records Act or this Ordinance, the department, policy body or custodian of records may inform"

New Section 67.20(f) – (line 18 and 22) Capitalize "Supervisor of Public Records" in all places in paragraph. Second sentence should read: "The Supervisor of Public Records shall inform the petitioner as soon as possible but no later than 10 calendar days after a petition is filed of its determination." Final sentence should read, "The Supervisor of Public Records shall copy the Sunshine Commission on all determinations or actions on petitions under this subsection."

Mr. Allen Grossman said Deputy City Attorney Paula Jesson has often adopted the views of the City Attorney when reviewing document requests even though the office of the Supervisor of Public Records is supposed to be independent of the City Attorney's Office.

Peter Warfield of the Library Users Association said he was not given sufficient time to participate in today's meeting and that showed the Task Force's insincerity. He also said members have never asked him and others to see which parts of the Ordinance were useful and which were not. In addition, he said, the Ordinance should emphasize that every City employee is a Custodian of Records and should be answerable to the public.

Members and the public continued their discussion of the Supervisor of Public Records' role. It was then decided to add a sentence between the second and third sentence in Section 67.18: "In reaching this determination the Supervisor of Records shall conduct an independent review, taking into

account prior rulings if any of the Sunshine Commission on the issue."

This sentence is also to be inserted between the second and third sentence in line 21 of page 49.

Change Section 67.20 (h) to "Release of public records."

Change Section 67.20 (i) to "Inspection and copying of public records."

Change line 5 to "Inspection of Public Records."

Change (b) to "postal or hand delivery, email or other means".

Swap Section 67.21 Subsections (b) with (c).

New Section 67.22 – delete "Each custodian of a public record shall keep notes of the time and personnel used to comply with records request under this section." Chair Craven-Green said this section be removed as initially suggested by former Chair Doug Comstock because it adds administrative burdens on employees and doesn't make sense. Without objection.

New Section 67.23(b) – last sentence replace "his of her" with "employee's"; replace "accurate" with "requests for."

New Section 67.24(b) – First sentence insert "and contact information" after "identity."

New Section 67.25(c)(2) replace "City commissioners" with "other policy body".

New Section 67.25(c)(8); first sentence, delete "and there is reasonable cause to believe that complaint is well founded" – as not necessary. Second sentence, replace "and" with "or report"; insert "or at the direction of" before "an attorney".

New Section 67.25(e)(1); add quotes around RFB; insert "and similar requests" after ("RFQ"); insert comma after "date of issuance." Without objection.

New Section 67.25(e)(8); insert period after first sentence/heading. Replace "alone" with "along," and delete "that."

New Section 67.25(i) last sentence "All withholdings" should be moved to first sentence in new Section 67.26.

New Section 67.28; add new (e) "If any information is withheld under sections (a) through (d) above, the written justification shall identify: a general description of the withheld information; the number of documents, pages, or lines of information withheld; and provide general description of withheld information, and clarify that the specific justification applicable to each piece of withheld information must be provided."

New Section 67.29(b) – should read "For documents routinely produced in multiple copies for distribution, e.g., meeting agendas, agenda packets, and other public records prepared for consideration at a public meeting, unless a special. . ." At end of existing sentence, add the following from (f) – "Neither this section nor the California Public Records Act shall be construed to limit or delay the public's right to inspect any record required to be disclosed by that Act, whether or not distributed to a policy body."

New Section 67.29(e) – delete "$10.00 or less per meeting."

New Section 67.29(f) can be deleted, incorporated above into (b).

New 67.30(a) – insert new (6) [from old 67.29-2(e)], "Nothing in this section shall be construed to permit an agency to make information only available in an electronic format."

New Section 67.30 (b) – delete "to" before transfer documents. Insert period after "electronic format." Final sentence should read: "The electronic format shall, as reasonably practicable, be searchable and electronically archivable, deliverable via electronic mail or other electronic means, and posted on the department or policy body's website as appropriate."

New 67. Section 30(d)(4) – replace "post" with "past," insert "are posted" at end of sentence.

New Section 67.30(d)(5) – delete, not necessary given prior section. Renumber (6) as (5).

Delete old Section 67.21-1 [new Section 67.31].It is now in prior section.

Delete old Section 67.29-2 [new Section 67.32]. It is now in prior section.

New Section 67.31 [mistakenly listed as Section 67.33-1 "Records and Correspondence Shall be Maintained . . ." Last sentence shall read: "The Mayor, elected officials and department heads shall maintain and preserve in a professional and businesslike manner all documents and correspondence, including but not limited to letters, e-mails, drafts, memoranda, invoices, reports and proposals, and shall be disclosed in accordance with this Ordinance."

New Section 67.32(d) [Mistakenly listed as Section 67.33-3 Calendars of Elected Officials]. To

clarify, sentence should read: "Such calendars are public records and shall be available to any requester three business days subsequent to the calendar entry date."

New 67.32(e). "To the fullest extent practicable, the calendars and information required by this section shall be also posted on the department or elected official's website at the start of each business day, but each public official subject to this section is encouraged to post his or her calendar as far in advance as possible."

New 67.32(f): "Nothing in this section shall exempt from disclosure any calendar or calendar information used for official city business that is kept by any employee or official." This was done to clarify that the Task Force's consistent position that Prop G set a floor, not a ceiling.

2. Public Comment on items not listed on the agenda: None

Adjournment **The meeting adjourned at 5:44 p.m.**

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
MEETING AGENDA

Tuesday, March 9, 2010
4:00 p.m., City Hall, Room 406

Committee Members: Erica Craven-Green (Chair), Richard Knee, Allyson Washburn, Doyle Johnson, Nick Goldman

Note: Public comment on items not listed on the agenda (Item # 7) will be taken at 5:00 p.m. or as soon thereafter as possible.

Call to Order, Roll Call, Agenda Changes

1. Approval of February 9, 2010, meeting minutes (action)(5 min)

2. 09075 Hearing on the status of the January 26 Order of Determination of Bred Starr against the City Attorney's Office. (discussion and possible action item) (attachment)

3. 09079 Hearing on the status of the January 26 Order of Determination of Kenneth Kinnard against the Human Rights Commission. (discussion and possible action item) (attachment)

4. Developing recommendations for the proposed electronic document retention policy of the Sunshine Ordinance Task Force. (discussion and possible action item) (attachment) (15 min)

5. Consideration of proposed amendments to Articles I through IV of the Sunshine Ordinance , specifically but not limited to definitions and duties of policy bodies and passive meeting bodies, sections 67.3-67.4 (discussion and possible action item) (attachment) (15 min)

6. Administrator's Report. (discussion only) (attachment)

7. Public Comment on items not listed on the agenda (no action) (no attachment)

8. Announcements, questions, and future agenda items from Committee members (discussion only) (no attachment)

Adjournment **Next regularly scheduled meeting: April.13, 2010**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations. Any person speaking during a public comment period may supply a written summary of his/her comments, which, if no more than 150 words, shall be included in the minutes. (*Section 67.16*)

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the proceeding begins, written comments regarding the subject of the meeting or hearing; these comments will be part of the official public record. (*Section 67.7-1 (c)*)

Persons wishing to comment at meetings of the Task Force and its committees are encouraged to fill out speaker cards to ensure accuracy of identification. This is not a requirement; speakers may remain anonymous.

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	(Above total speaking times for Complainant and City to be the same.)	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment *(Excluding Complainant & City response, witnesses)*	Up to 3 minutes each
7.	Vote by Task Force *(Public comment at discretion of chair on new motion and/or on new motion if vote fails.)*	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access: The hearing room is wheelchair accessible.

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Sunshine Ordinance Task Force - Compliance & Amendments Committee

March 9, 2010

SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE

MEETING MINUTES

Tuesday, March 9, 2010
4:00 p.m., City Hall, Room 406

Committee Members: Erica Craven-Green (Chair), Richard Knee, Allyson Washburn, Doyle Johnson, Nick Goldman

Call to Order: 4:00 p.m.

Roll Call: Present: Craven-Green, Knee, Washburn, Johnson, Goldman

Deputy City Attorney: Jerry Threet
Clerk: Chris Rustom

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Agenda Changes: None

1. Approval of February 9, 2010, meeting minutes

   Motion to continue matter to April 13, 2010. (Knee / Goldman)

   Public Comment: None

   Continued without objection.

2. 09075 Hearing on the status of the January 26 Order of Determination of Bred Starr against the City Attorney's Office.

   Complainant Bred Starr was not present. There was no one in the audience to present facts and evidence on behalf of the complainant.

   Jack Song, a public information officer with the City Attorney's Office, said his office has released two disciplinary letters to Ms. Starr, but withheld the investigative report because it comes under the attorney-client privilege and attorney work product.

   Chair Craven-Green said she was not surprised by the stand taken by the City Attorney's Office. She said it was a position generally taken by county counsel and state attorneys regarding investigations of employee misconduct done by in-house attorneys.

   Members then discussed the possibility of referring the matter to the Ethics Commission, the District Attorney, the Board of Supervisors or the State Attorney General's Office.

   Motion to send matter back to the Task Force for referral to an enforcement agency.

   Public Comment: None

   On the motion: Without objection

3. 09079 Hearing on the status of the January 26 Order of Determination of Kenneth Kinnard against the Human Rights Commission.

   Complainant Kenneth Kinnard said the Human Rights Commission contacted him and said there we a few hundred documents available for his review. Those documents, he said are not what he

wanted. He said the documents he wanted were evidence related to HRC's decision to deny B&K Trucking's recertification because it was found to be operating as a broker and not as an independent trucker. He urged the committee to refer the matter to the District Attorney's Office.

Respondent Melinda Kanios of the Human Rights Commission said she has informed Mr. Kinnard by various means that B&K's certification files from 1999 and 2002, the appeals file, and the hearing officer's decision file are ready for his review. Mr. Kinnard, she said, has not responded.

Chair Craven-Green said the Task Force cannot review an HRC decision, could not determine whether a statement was inflammatory, and could not ask HRC to rewrite their minutes. The HRC, she said, was found in violation of not responding to an Immediate Disclosure Request by the end of the next business day. However, she said, she believes the HRC has produced the documents that were responsive to Mr. Kinnard's request.

In closing, Ms. Kanios said HRC would follow through with Mr. Kinnard regarding the review and copying of documents if necessary. Mr. Kinnard said the arbitrator has stated that there was no evidence to support the claim that he had played the role of a broker.

No further action.

4. Developing recommendations for the proposed electronic document retention policy of the Sunshine Ordinance Task Force.

Chair Craven-Green said there was nothing new or pressing to discuss. The documents on preservation of electronic records that was submitted by Kimo Crossman had been visited as well as addressed before, she said.

Item concluded.

5. Consideration of proposed amendments to Articles I through IV of the Sunshine Ordinance, specifically but not limited to definitions and duties of policy bodies and passive meeting bodies, Sections 67.3 and 67.4.

Members suggested some changes to the language in the proposed amendments and those were accepted without objection.

The changes included :

Delete "that is" in Section 67.3 (b)(1)

Delete "other" in Section 67.3 (b)(3)

Unstrike and reinstate Section 67.(3)(d)(5). It is related to passive meeting bodies.

Section 67.(3)(d)(1): Strike out "the Mayor" and "other than the Mayor." Sentence to read "the Mayor, a department head or someone operating with the department head's authority."

Section 67.(3)(e)(5) to read "created by the initiative of a policy body."

Unstrike and reinstate Section 67.(3)(d)(6) and change "which" to "that."

Delete (1) from Section 67.4(b).

Section 67.4(c): delete "at his and her discretion."

Section 67.4 (d) second para to read: "Gatherings subject to this subsection include the following: advisory committees created by the initiative of a member of a policy boody, the Mayor, the City Administrator, an elective officer, or a department head, or someone operating with the department head's authority ..."

Public Comment: None

Item continued.

6. Administrator's Report.

Mr. Rustom made the report.

Public Comment: None

7. Public Comment on items not listed on the agenda: None

8. Announcements, questions, and future agenda items from Committee members.

Member Johnson said he will not be at the next Task Force meeting. Ex-member Chu to be honored at next Task Force meeting.

Adjournment **The meeting adjourned at 5:20 p.m.**

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
MEETING CANCELLED

Tuesday, April 13, 2010
4:00 p.m., City Hall, Room 406

Committee Members: Erica Craven-Green (Chair), Richard Knee, Allyson Washburn, Doyle Johnson, Nick Goldman

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Adjournment

Next regularly scheduled meeting: May 11, 2010

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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3.	Matter is with the Task Force for discussion and questions.	
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Sunshine Ordinance Task Force - Compliance & Amendments Committee

May 11, 2010

SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
MEETING CANCELLED
Tuesday, May 11, 2010
4:00 p.m., City Hall, Room 406

Committee Members: Erica Craven-Green (Chair), Richard Knee, Allyson Washburn, Doyle Johnson, Nick Goldman

Next regularly scheduled meeting: June 8, 2010

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Sunshine Ordinance Task Force - Compliance & Amendments Committee

June 8, 2010, cancelled

SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
MEETING CANCELLED
Tuesday, June 8, 2010
4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn (Chair), Richard Knee, Doyle Johnson, Nick Goldman

Next regularly scheduled meeting: July 13, 2010

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SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
MEETING AGENDA

Tuesday, July 13, 2010
4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn (Chair), Nick Goldman, Richard Knee, David Snyder, Bruce Wolfe

Note: Public comment on items not listed on the agenda (Item # 9) will be taken at 5:00 p.m. or as soon thereafter as possible.

Call to Order, Roll Call, Agenda Changes

1. Approval of February 9, 2010, meeting minutes (action)(5 min)

2. Approval of March 3, 2010, meeting minutes (action)(5 min)

3. Approval of March 9, 2010, meeting minutes (action)(5 min)

4. 10018 Hearing on the status of the June 22, 2010, Order of Determination in Svetlana Ptashnaya v the Dept. of Adult and Aging Services. (discussion and possible action item) (attachment) (20 min)

5. 10022 Hearing on the status of the June 22, 2010, Order of Determination in Suzanne Dumont v the Recreation and Parks Department. (discussion and possible action item) (attachment) (20 min)

6. 10025 Hearing on the status of the June 22, 2010, Order of Determination in Ray Hartz v the Police Commission. (discussion and possible action item) (attachment) (20 min)

7. Developing recommendations for the proposed Task Force electronic document retention policy. (discussion and possible action item) (no attachment) (15 min)

8. Administrator's Report. (discussion only) (attachment) (5 min)

9. Public Comment on items not listed on the agenda (no action) (no attachment)

10. Announcements, questions, and future agenda items from Committee members (discussion only) (no attachment)

Adjournment **Next regularly scheduled meeting: Aug. 10, 2010**

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MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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City and County of San Francisco

Sunshine Ordinance Task Force - Compliance & Amendments Committee

July 13, 2010

SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
MEETING MINUTES

Tuesday, July 13, 2010
4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn (Chair), Nick Goldman, Richard Knee, David Snyder, Bruce Wolfe

Call to Order: 4:00 p.m.

Roll Call: Present: Washburn, Knee, Snyder
Excused: Goldman, Wolfe

Deputy City Attorney: Jerry Threet (not present)
Clerk: Chris Rustom

Agenda Changes: Item 9 heard before Item 7.

1. Approval of February 9, 2010, meeting minutes.

   Motion to approve February 9, 2010, meeting minutes (Knee / Snyder)

   Public Comment: None

   On the motion:
   Ayes: Knee, Snyder, Washburn

2. Approval of March 3, 2010, meeting minutes.

   Motion to continue to next regular meeting. Without objection.

3. Approval of March 9, 2010, meeting minutes.

   Motion to continue to next regular meeting. Without objection.

4. 10018 Hearing on the status of the June 22, 2010, Order of Determination in Svetlana Ptashnaya v the Dept. of Adult and Aging Services.

   Complaint Svetlana Ptashnaya said she asked the Adult and Aging Services Department for the result of an investigation based on her complaint against Adult Protective Services employee Ethelbert Ogbuehi. She said the department informed her that it had taken the necessary steps but because its investigations were confidential under State law the results could not be disclosed.

   Cindy Rassmussen, Supervisor of Adult Protective Services, said all documents that can be released have been provided and that she had nothing more to add.

   Member Snyder wanted to know if Ms. Rassmussen meant to say that all reports regarding the investigation into Mr. Ogbuehi had been released. Ms Rassmussen said APS records are confidential and protected by the Welfare and Institutions Code and cannot be released. Pamela Tebo of the Human Services Agency said DAAS has provided all the documents that they could legally provide to Ms. Ptashnaya.

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Member Knee asked Ms. Ptashnaya if she had received any new documents since the last hearing. Ms. Ptashnaya said she had not received anything new.

To Member Snyder, Ms. Rassmussen said there are records in the APS file but cannot be released because it is covered by State law.

Member Knee asked Ms. Rassmussen if the records contain information related to the Ogbuehi investigation. Ms. Rassmussen said she was not at liberty to discuss the case.

Member Knee said Ms. Ptashnaya was asking for information on the conduct of a City employee.

In closing, Ms. Rassmussen said all the information in the case file relates to the investigation of the abuse that was reported to Adult Protective Services. Ms. Ptashnaya said she was asking for information on an employee and not for information related to a welfare case. She said the outcome of the investigation must be provided to her.

Motion to refer matter back to the Task Force for possible referral to an enforcement agency such as the Ethics Commission, The State Attorney General, the District Attorney and/or the Board of Supervisors.(Knee / Snyder)

Member Snyder made a friendly motion to indicate that the department had only violated Sections 67.21(c) and 67.24(c)(7) and not Section 67.21(e) because the respondent attended the hearing. The maker of the motion agreed.

Motion to refer matter back to the Task Force for violation of Sections 67.21(c) and 67.24(c)(7) as well as possible referral to an enforcement agency such as the Ethics Commission, The State Attorney General, the District Attorney and/or the Board of Supervisors.(Knee / Snyder)

Public Comment: Kimo Crossman agreed with the Task Force on the motion. He said the department was not acting in good faith and that it did not understand the concept of redaction as well as the segregation of documents. He suggested sending the matter to the Ethics Commission for official misconduct. Ray Hartz said if he files a complaint against a City employee he has the right to ask and see the results if there was an investigation. The same applied to Ms. Ptashnaya, he said. Putting the results in a welfare file and claiming privilege was inappropriate, he added. Finding the department in violation was appropriate, he said. Charles Pitts said something more needs to be done because, although the Task Force has found the department in violation of the Ordinance, Ms. Ptashnaya still does not have the information she wants.

On the motion:
Ayes: Knee, Snyder, Washburn

5. 10022 Hearing on the status of the June 22, 2010, Order of Determination in Suzanne Dumont v the Recreation and Parks Department.

The Complainant was not present. Nobody in the audience presented facts and evidence on behalf of the complainant.

Respondent Olive Gong said the Recreation and Parks Department has provided the complainant and the Task Force with the specific statutory authority for withholding the requested information in this case.

Chair Washburn suggested that the department in the future not just provide the specific statutory authority but also to include a summary of the wording of the section.

No closing remarks were made.

Motion finding that the Order of Determination has been met and no further action by the Compliance and Amendments Committee and the full Task Force was necessary. (Knee / Snyder)

Public Comment: None.

On the motion:
Ayes: Knee, Snyder, Washburn

6. 10025 Hearing on the status of the June 22, 2010, Order of Determination in Ray Hartz v the Police Commission.

Complainant Ray Hartz said this case is about the quality of the Index of Records that is on the City's website. He said a visitor to the Index comes across a list of categories where the Police Commission has placed their records."Correspondence" for example does not indicate what is in the file and so requests for specific documents could not be made. These records, he said, do not belong to the Police Commission, members of the Commission, and the City of San Francisco. They belong, he said, to the citizens of the City of San Francisco.

Lt. Joe Reilly, Secretary of the Police Commission, said the agency did create its Index of Records and it was delivered to the City Administrator's Office through the City Attorney's Office. He said the agency's Index is formatted the same way as other City departments. He said the Commission's documents, including General Orders, agendas, and minutes are all listed on the Commission's website and are accessible to all.

To Member Knee, Lt. Reilly said he has not approached the CAO's office and discussed how to improve the Index ever since the most recent complaint was filed and the Order of Determination issued. He also noted that the Index has been posted, and there have been no complaints about it.

To Member Snyder, Lt. Reilly said he has not done anything since the most recent Order of Determination was issued except to appear before the Committee as directed.

Chair Washburn said the Commission, as well as all other departments, have not done their job if the Index is supposed to look like the index found in books and catalogues.

Member Snyder said the issue is because the statue is vague. Regardless, he said, the Order of Determination has not been met.

Lt. Reilly did not have any closing remarks. Ray Hartz said the issue also involves whether the department or agency is maintaining records as required by the Ordinance. The Index, he said, does not say what it has and where it is stored in a businesslike fashion. It does not have any updates since it was posted in 2009, he said. He said he was also filing a complaint against the City Attorney's Office because it was responsible for bringing it down to the level it is at.

Member Knee suggested continuing the matter to August so that the Committee could invite a representative from the City Administrator's Office to explain how to end this information void once and for all.

Motion to continue item to the next regular meeting of the Compliance and Amendments Committee and instruct the person from the City Administrator's Office who is responsible for the Index of Records to attend the next regular meeting of the committee to discuss how to make the Index more user-friendly and what departments need to do to adhere to Section 67.29 of the Ordinance. (Knee / Snyder)

Public Comment: Kimo Crossman said the standard to use to test the usefulness of the Index was to visit the Library and see how their index their holdings.

On the motion:
Ayes: Knee, Snyder, Washburn

7. Developing recommendations for the proposed Task Force electronic document retention policy.

Members decided to invite a knowledgeable person from the Department of Technology to update the Committee on what is and what is not possible.

Public Comment: Kimo Crossman said he was very disappointed because it was not a technological issue and that it had being discussed for more than two years and nothing has happened.

8. Administrator's Report.

Mr. Rustom made the report.

9. Public Comment on items not listed on the agenda.

Ray Hartz said he does not have a vendetta against the Police Department, Police Commission and the City Attorney's Office. He said City workers believe they have the right to stop you short while you exercise your First Amendment right and that they also think that they can hold City documents hostage. These employees, he said, face the possibility of lawsuits because they are acting outside the law. Kimo Crossman urged the Task Force members to consider the move to audio live streaming and or video live streaming of meetings. The best way to show City staff that it can be done is for the Task Force to do it, he said.

10. Announcements, questions, and future agenda items from Committee members: None

Adjournment **The meeting adjourned at 5:39 p.m.**

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
AGENDA

Tuesday, August 10, 2010
4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn (Chair), Richard Knee, David Snyder, Bruce Wolfe

Note: Public comment on items not listed on the agenda (Item # 8) will be taken at 5:00 p.m. or as soon thereafter as possible.

Call to Order, Roll Call, Agenda Changes

1. Approval of March 3, 2010, meeting minutes (action)(5 min)

2. Approval of March 9, 2010, meeting minutes (action)(5 min)

3. Approval of the July 13, 2010, meeting minutes (action)(5 min)

4. 10013 Hearing on the status of the May 25, 2010, Order of Determination in Nick Pasquariello v the Department of Technology. (discussion and possible action item) (attachment) (20 min)

5. 10025 Hearing on the status of the June 22, 2010, Order of Determination in Ray Hartz v the Police Commission. (discussion and possible action item) (attachment) (20 min)

6. Developing recommendations for the proposed Task Force electronic document retention policy. (discussion and possible action item) (no attachment) (15 min)

7. Administrator's Report. (discussion only) (attachment) (5 min)

8. Public Comment on items not listed on the agenda (no action) (no attachment)

9. Announcements, questions, and future agenda items from Committee members (discussion only) (no attachment)

Adjournment

Next regularly scheduled meeting: Sept. 14, 2010

THE AGENDA PACKET IS AVAILABLE FOR REVIEW
MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations. Any person speaking during a public comment period may supply a written summary of his/her comments, which, if no more than 150 words, shall be included in the minutes. (*Section 67.16*)

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1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	(Above total speaking times for Complainant and City to be the same.)	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment *(Excluding Complainant & City response, witnesses)*	Up to 3 minutes each
7.	Vote by Task Force *(Public comment at discretion of chair on new motion and/or on new motion if vote fails.)*	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access: The hearing room is wheelchair accessible.

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE: Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact the Administrator by mail to: Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102-4689; by phone at (415) 554-7724; by fax at (415) 554-7854; or by email at sotf@sfgov.org.

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City and County of San Francisco

Sunshine Ordinance Task Force - Compliance & Amendments Committee

August 10, 2010

SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
MEETING MINUTES
Tuesday, August 10, 2010
4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn (Chair), Richard Knee, David Snyder, Bruce Wolfe

Call to Order: 4:00 p.m. Quorum reached at 5:14 p.m.

Roll Call: Present: Washburn, Knee, Wolfe (in at 5:12)
Excused: Snyder

Deputy City Attorney: Frank Brass (not present)
Clerk: Chris Rustom

Agenda Changes: Item x heard before Item x.

1. Approval of March 3, 2010, meeting minutes.

   Motion to approve March 3, 2010, meeting minutes (Wolfe / Knee)

   Public Comment: None

   On the motion:
   Ayes: Knee, Wolfe, Washburn

   Motion passes.

2. Approval of March 9, 2010, meeting minutes.

   Motion to continue March 9, 2010, meeting minutes. Without objection.

   Public Comment: None

3. Approval of the July 13, 2010, meeting minutes.

   Motion to approve July 13, 2010, meeting minutes (Wolfe / Knee)

   Public Comment: None

   On the motion:
   Ayes: Knee, Wolfe, Washburn

   Motion passes.

4. 10013 Hearing on the status of the May 25, 2010, Order of Determination in Nick Pasquariello v the Department of Technology.

   Complainant Nick Pasquariello said the Bay Area Video Coalition has yet to supply him with the documents mentioned in the Order of Determination. He also wanted to know where the Department of Technology fits into the hearing because his complaint was against BAVC.

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Krisana Hodges, counsel for BAVC, said all the documents that the complainant requested are available on the department's website. The department has also printed the documents and has given it to the complainant. She also said the complainant confirmed to her that he had received all the documents and that none were outstanding.

To Member Knee, Mr. Pasquariello said he has received the documents from the department. However, he said the Order of Determination said it had to come from BAVC and BAVC has not produced the documents. He said pointing a person to a website does not fulfill a public records request.

Ms. Hodges told Member Knee that BAVC's contract with the department calls for BAVC to work closely with the department in making information available. She said Barry Fraser of the Department of Technology, Mr. Pasquariello and she got together and as a group worked to produce the requested documents. She again said that she asked him after the Task Force hearing if he needed anything else from BAVC and he had said that he did not.

Member Wolfe said BAVC was found to be in violation and because of that finding, BAVC has to produce the documents.

In closing, Ms. Hodges said this case is not about shifting of responsibility but it is simply focusing on practicality and doing it in conjunction with the department. Mr. Pasquariello said he had nothing more to add except that the ruling at the end of the day would only help him to learn how the Task Force operates and what to expect in the future..

Public Comment: Ray Hartz said it is not unreasonable to specifically ask the parties in a contract for their copies of the document for comparison purposes because there is a possibility of having variations. He said BAVC is also trying to shift their responsibility on the department to avoid having to deal with future requests. Steve Zeltzer said BAVC has not got the message that they are responsible. He also said it was troubling to hear that BAVC had said at the Board of Supervisors Rules Committee hearing that they had not violated the Sunshine Ordinance.

Motion to refer this matter back to the Task Force with a recommendation that it be forwarded to the Ethics Commission because of willful violation for failure to comply with the May 25, 2010, Order of Determination. (Knee / Wolfe)

On the motion:
Ayes: Knee, Wolfe, Washburn

Motion passes.

5. 10025 Hearing on the status of the June 22, 2010, Order of Determination in Ray Hartz v the Police Commission.

Complainant Ray Hartz said his concern is about the substance of the Index of Records. He said the question was not what he can guess what is where, but it is what is there that he cannot see. He said he can probably guess the existence of a report, but for someone who does not know the report exists, the Index is not helpful.

Motion to refer this matter back to the Task Force to provide another opportunity for the Police Commission to demonstrate that the Police Commission's Index of Records enables members of the public to learn the types of information and documents maintained by and for the Commission per Section 67.29 and if the Police Commission does not satisfy then to refer to an enforcement agency for willful violation. (Wolfe / Knee)

On the motion:
Ayes: Knee, Wolfe, Washburn

Motion passes.

6. Developing recommendations for the proposed Task Force electronic document retention policy.

The matter was continued.

Public Comment: None

7. Administrator's Report.

Mr. Rustom made the report.

Public Comment: None

8. Public Comment on items not listed on the agenda.

Ray Hartz said when he originally filed a complaint against the Police Commission and the Police Department the Orders of Determination stated that the matter should go to the Education, Outreach and Training Committee. He said on two occasions EOTC Chair Sue Cauthen took testimony from Lt. Reilly without a quorum present. He said Task Force and CAC members should look into the matter to see if the Orders of Determination were satisfied because he has not seen or

heard anything that says so.

Member Knee responded by saying that he was not the chair of the Task Force at that time but when Mr. Hartz and Peter Warfield brought up an issue that occurred on January 14 of this year, it ended by him having to remove Ms. Cauthen from her post.

9. Announcements, questions, and future agenda items from Committee members.

Member Wolfe apologized for his late arrival. Chair Washburn said it she would place the topic of changing meeting times on a future agenda.

Adjournment **The meeting adjourned at 6:45 p.m.**

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Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
AGENDA

Tuesday, September 14, 2010
4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn (Chair), David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

Note: Public comment on items not listed on the agenda (Item # 5) will be taken at 5:00 p.m. or as soon thereafter as possible.

Call to Order, Roll Call, Agenda Changes

1. Approval of March 9, 2010, meeting minutes (action)(5 min)

2. Approval of August 10, 2010, meeting minutes (action)(5 min)

3. 10030 Hearing on status of the August 28, 2010, Order of Determination of Michael Wright against the Human Services Agency. (discussion and possible action item) (attachment) (20 min)

4. Administrator's Report. (discussion only) (attachment) (5 min)

5. Public Comment on items not listed on the agenda (no action) (no attachment)

6. Announcements, questions, and future agenda items from Committee members (discussion only) (no attachment)

Adjournment **Next regularly scheduled meeting: Oct. 12, 2010**

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SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
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7.	Vote by Task Force *(Public comment at discretion of chair on new motion and/or on new motion if vote fails.)*	

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2



Sunshine Ordinance Task Force - Compliance & Amendments Committee

September 14, 2010

SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE

MEETING MINUTES

Tuesday, September 14, 2010
4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn, David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

Call to Order: 4:00 p.m. Quorum reached at 5 p.m.

Roll Call: Present: Knee, Wolfe, Johnson
Excused: Washburn
Absent: Snyder

Deputy City Attorney: Jana Clark (not present)
Clerk: Chris Rustom

Agenda Changes: Member Johnson chaired the meeting in Chair Washburn's absence

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1. Approval of March 9, 2010, meeting minutes.

   Motion to approve March 9, 2010, regular meeting. (Knee / Wolfe)

   Public Comment: None

   On the motion:
   Ayes: Knee, Wolfe, Johnson

   Motion passes.

2. Approval of August 10, 2010, meeting minutes.

   Motion to continue matter to October 12, 2010, regular meeting minutes. Without objection

3. 10030 Hearing on status of the August 28, 2010, Order of Determination of Michael Wright against the Human Services Agency.

   Complainant Michael Wright said the respondent has failed to appear further demonstrating the seriousness and willful misconduct and the total disregard for the people's interest and Task Force members as well. The letter submitted by the Human Services Agency shows that they are not dealing in good faith. He said the letter mentions a restraining order against him filed by Joyce Crum and Briana Moore. The truth, he said, was that a judge denied their request and told them that if they feel threatened by his presence to walk on the other side of the hallway. If he was in the elevator they were told not to get in it, he said. The judge, he said, ruled that he was not going to prevent Mr. Wright from advocating for himself, the homeless people and the physically and mentally handicapped residents. The judge ruled, he said, that Ms. Crum and Ms. Moore were ordered to stay five feet away from him. He said he has been to at least three Shelter Monitoring meetings where Ms. Crum, Ms. Moore and he were in the same room after the judge had issued the restraining order. The claims made in the Agency's September 14 memo are another example of fraud and serious willful misconduct, he said.

   The respondent was not present. There was no one in the audience to present facts and evidence on behalf of the respondent.

Member Wolfe asked Mr. Wright if he had any documentation to support the claims he just made. Mr. Wright said he would produce the documents at the September 28 meeting.

Acting Chair Johnson wanted to know if Mr. Wright had been asked to the leave the Shelter Monitoring meetings because of the restraining order. Mr. Wright said he had not been asked to leave. Mr. Wright, while noting that Ms. Crum and Ms. Moore were black, said that he has had a good four-year working relationship with Bernice Casey, a white female who is also a policy analyst with the Shelter Monitoring Committee. This, he said, shows that he does not have a problem working with females. Ms. Crum and Ms. Moore, he claimed, were afraid of him because of what would happen if he took them to a federal court for not standing up for their clients.

In conclusion, Mr. Wright said Human Services Agency Executive Director Trent Rhorer's September 14 letter was giving him grounds to file a complaint with the Ethics Commission because of fraudulent information.

Motion to refer matter to the Task Force with a recommendation that it be forwarded to the Ethics Commission for enforcement. (Knee / Wolfe)

Member Knee said the Agency was ordered to send a knowledgeable representative to the meeting and had not. He said the Agency was instructed to show the Committee a written policy specifying how the Agency would abide by Section 67.4(a) of the Sunshine Ordinance and it had not. He said he did not accept Mr. Rhorer's reasoning for non-appearance at the meeting because a request for security personnel was not made. Furthermore, he said, it was the Task Force's decision to find or not find whether the San Francisco Human Services Agency Housing and Homeless Division Shelter and Resource Center Directors' group was a passive meeting body. It was not the respondent's role, he said.

Public Comment: None

On the motion:
Ayes: Knee, Wolfe, Johnson

Motion passes.

Acting Chair Johnson asked that the respondents provide a copy of the restraining order if they decide not to appear at the September 28 hearing. She said the document was needed because the restraining order was in dispute.

4. Administrator's Report.

Mr. Rustom made the report.

Public Comment: None

5. Public Comment on items not listed on the agenda: None.

6. Announcements, questions, and future agenda items from Committee members.

None

Adjournment **The meeting adjourned at 5:30 p.m.**

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

October 12, 2010

SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
AGENDA

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Tuesday, October 12, 2010
4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn (Chair), David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

Note: Public comment on items not listed on the agenda (Item # 6) will be taken at 5:00 p.m. or as soon thereafter as possible.

Call to Order, Roll Call, Agenda Changes

1. Approval of March 9, 2010, meeting minutes (attachment) (action) (5 min)
2. Approval of August 10, 2010, meeting minutes (attachment) (action) (5 min)
3. Approval of September 14, 2010, meeting minutes (attachment) (action) (5 min)
4. Ethics Commission proposed policy for handling Sunshine-related complaints (attachment) (discussion and possible action) (30 minutes)
5. Administrator's Report. (discussion only) (attachment) (5 min)
6. Public Comment on items not listed on the agenda (no action) (no attachment)
7. Announcements, questions, and future agenda items from Committee members (discussion only) (no attachment)

Adjournment Next regularly scheduled meeting: Nov. 9, 2010

THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each

(*Above total speaking times for Complainant and City to be the same.)*

3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment *(Excluding Complainant & City response, witnesses)*	Up to 3 minutes each
7.	Vote by Task Force *(Public comment at discretion of chair on new motion and/or on new motion if vote fails.)*	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

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Sunshine Ordinance Task Force - Compliance & Amendments Committee

October 12, 2010

SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
DRAFT MEETING MINUTES

Tuesday, October 12, 2010
4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn, David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

Call to Order: 4:00 p.m. and starting at 4:05 p.m.

Roll Call: Present: Washburn, Snyder, Knee, Wolfe (in at 5:15), Johnson

Deputy City Attorney: Jerry Threet (not present)
Clerk: Chris Rustom

Agenda Changes: None

1. Approval of March 9, 2010, meeting minutes.

   Chair Washburn said the March 9, 2010, meeting minutes was approved during the September meeting.

2. Approval of August 10, 2010, meeting minutes.

   Motion to approve August 10, 2010, regular meeting minutes (Knee / Snyder)

   Public Comment: None

   On the motion:
   Ayes: Knee, Snyder, Johnson, Washburn

   Motion passes.

3. Approval of September 14, 2010, meeting minutes.

   Motion to approve September 14, 2010, regular meeting minutes (Knee / Snyder)

   Public Comment: None

   On the motion:
   Ayes: Knee, Snyder, Johnson, Washburn

   Motion passes.

4. Ethics Commission proposed policy for handling Sunshine-related complaints.

   Chair Washburn invited open government advocate Allen Grossman to participate as a non-voting member of the committee.

   The committee discussed the proposed policy and decided to ~~make~~ recommend the following changes to "Attachment A: Ethics Commission regulations for complaints alleging violations of the Sunshine Ordinance."

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I. PREAMBLE

Pursuant to San Francisco Charter section 15.102, the San Francisco Ethics Commission promulgates these Regulations in order to ensure compliance with the San Francisco Sunshine Ordinance, S.F. Admin. Code §§ 67.1, et seq. These Regulations shall apply only to complaints alleging willful violations of the Sunshine Ordinance and referrals from the Sunshine Ordinance Task Force. All matters involving alleged violations of conflict of interest, campaign finance, lobbyist, campaign consultant or other ethics laws shall be handled under the Ethics Commission's Regulations for Investigations and Enforcement Proceedings.

II. DEFINITIONS

D. "Complaint" means a printed or electronic ~~written~~ document alleging a violation of the Sunshine Ordinance filed with the Commission or the Sunshine Ordinance Task Force.

K. "Order of Determination" means a finding by the Task Force of a violation of the Sunshine Ordinance and instructions to the respondent for corrective action~~final recommendation issued by the Task Force concerning a violation of the Sunshine Ordinance~~.

L. "Referral" means a referral ~~reference~~ for enforcement and/or penalties from the Task Force to the Commission for non-compliance with an Order of Determination~~, after the Task Force has issued an Order of Determination finding a violation of the Sunshine Ordinance~~.

M. "Respondent" means a person who is alleged or identified in a complaint to have violated~~committed a violation of~~ the Sunshine Ordinance.

III. Complaints alleging violations of the Sunshine Ordinance.

A. Any person, including Commission staff, may file a complaint with the Commission or the Task Force alleging a violation of the Sunshine Ordinance. When the Executive Director and Commission receives a complaint the Ethics Commission shall forward it to the Task Force~~that the Task Force has not yet considered or that is still pending at the Task Force, the Executive Director may handle the complaint pursuant to Section IV of these Regulations or may, in his or her discretion, take no action until after the Task Force has issued an Order of Determination or a final recommendation regarding the complaint~~.

B. Upon receiving~~When the Executive Director receives~~ a referral from the Task Force, the Executive Director shall schedule a hearing at the next regular meeting of the Commission and shall~~, provided that: 1) the Executive Director~~ issue a written notice to each Respondent and the original Complainant (real party in interest) of the date, time and location of the hearing, at least 15 days in advance of the hearing date. The Executive Director shall also provide a courtesy notice to the Task Force. Such hearings shall otherwise be governed by the provisions of Section V of these Regulations.

C. If the Task Force or a Complainant notifies the District Attorney or California Attorney General of a violation or alleged violation of the Sunshine Ordinance, the Executive Director shall not take action on the referral or complaint regarding that violation or alleged violation until at least 40 days after the complaint is filed with the Task Force~~notification date~~.

IV. INVESTIGATIONS; REPORT AND RECOMMENDATION

Chair Washburn requested Mr. Grossman to provide suggested language for this section.

V. HEARING

Chair Washburn requested Mr. Grossman to consult with Member Snyder and ask him to provide suggested language for this section.

5. Administrator's Report.

Mr. Rustom made the report.

Public Comment: None.

6. Public Comment on items not listed on the agenda: None.

7. Announcements, questions, and future agenda items from Committee members.

None

Adjournment The meeting adjourned at 7:58 p.m.

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

October 27, 2010

SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE

SPECIAL MEETING

AGENDA

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Wednesday, October 27, 2010
5:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn (Chair), David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

Note: Public comment on items not listed on the agenda (Item # 2) will be taken at 6:00 p.m. or as soon thereafter as possible.

Call to Order, Roll Call, Agenda Changes

1. Ethics Commission proposed policy for handling Sunshine-related complaints (attachment) (discussion and possible action) (30 minutes)

2. Public Comment on items not listed on the agenda (no action) (no attachment)

3. Announcements, questions, and future agenda items from Committee members (discussion only) (no attachment)

Adjournment **Next regularly scheduled meeting: Nov. 9, 2010**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each

(Above total speaking times for Complainant and City to be the same.)

3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment *(Excluding Complainant & City response, witnesses)*	Up to 3 minutes each
7.	Vote by Task Force *(Public comment at discretion of chair on new motion and/or on new motion if vote fails.)*	

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November 9, 2010

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SUNSHINE ORDINANCE TASK FORCE

COMPLIANCE AND AMENDMENTS COMMITTEE

AGENDA

Tuesday, November 9, 2010
4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn (Chair), David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

Note: Public comment on items not listed on the agenda (Item # 6) will be taken at 5:00 p.m. or as soon thereafter as possible.

Call to Order, Roll Call, Agenda Changes

1. Approval of October 12, 2010, regular meeting minutes (attachment) (action) (5 min)
2. Approval of October 27, 2010, special meeting minutes (attachment) (action) (5 min)
3. 10047 Hearing on the status of the October 26, 2010, Order of Determination in Kellee Lanza v the District Attorney's Office. (discussion and possible action item) (attachment) (20 min)
4. Ethics Commission proposed policy for handling Sunshine-related complaints (attachment) (discussion and possible action) (30 minutes)
5. Administrator's Report. (discussion only) (attachment) (5 min)
6. Public Comment on items not listed on the agenda (no action) (no attachment)
7. Announcements, questions, and future agenda items from Committee members (discussion only) (no attachment)

Adjournment **Next regularly scheduled meeting: Dec. 14, 2010**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each

(*Above total speaking times for Complainant and City to be the same.)*

3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment *(Excluding Complainant & City response, witnesses)*	Up to 3 minutes each
7.	Vote by Task Force *(Public comment at discretion of chair on new motion and/or on new motion if vote fails.)*	

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December 14, 2010

SUNSHINE ORDINANCE TASK FORCE

COMPLIANCE AND AMENDMENTS COMMITTEE

AGENDA

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Tuesday, December 14, 2010

4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn (Chair), David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

Note: Public comment on items not listed on the agenda (Item # 4) will be taken at 5:00 p.m. or as soon thereafter as possible.

Call to Order, Roll Call, Agenda Changes

1. Approval of November 9, regular meeting minutes (attachment) (action) (5 min)
2. Ethics Commission proposed policy for handling Sunshine-related complaints (attachment) (discussion and possible action) (30 minutes)
3. Administrator's Report. (discussion only) (attachment) (5 min)
4. Public Comment on items not listed on the agenda (no action) (no attachment)
5. Announcements, questions, and future agenda items from Committee members (discussion only) (no attachment)

Adjournment **Next regularly scheduled meeting: Jan. 11, 2011**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each

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3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
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Sunshine Ordinance Task Force - Compliance & Amendments Committee

December 14, 2010

SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
MINUTES

Tuesday, December 14, 2010
4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn, David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

Call to Order: 4:00 p.m. and starting at 4:12 p.m.

Roll Call: Present: Snyder, Knee, Washburn, Johnson
Absent: Wolfe

Deputy City Attorney: Jerry Threet (not present)
Clerk: Chris Rustom

Agenda Changes: None

1. Approval of November 9, regular meeting minutes.

   Motion to approve November 9, 2010, regular meeting minutes. (Knee / Snyder)

   Public Comment: None

   On the motion:
   Ayes: Snyder, Knee, Johnson, Washburn

   Motion passes.

2. Ethics Commission proposed policy for handling Sunshine-related complaints.

   Members discussed the topic and continued the item to the January 11, 2011, meeting. Member Snyder is to present an updated response to the policy proposed by the Ethics Commission. Members also discussed getting the Ethics Commissioners' contact information from the executive director.

   Public Comment: None.

3. Administrator's Report.

   Mr. Rustom made the report.

   Public Comment: None

4. Public Comment on items not listed on the agenda: None

5. Announcements, questions, and future agenda items from Committee members:

   None

Adjournment **The meeting adjourned at 4:41 p.m.**

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January 11, 2011

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SUNSHINE ORDINANCE TASK FORCE COMPLIANCE AND AMENDMENTS COMMITTEE AGENDA

Tuesday, January 11, 2011
4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn (Chair), David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

Note: Public comment on items not listed on the agenda (Item # 4) will be taken at 5:00 p.m. or as soon thereafter as possible.

Call to Order, Roll Call, Agenda Changes

1. Approval of December 14, regular meeting minutes (attachment) (action) (5 min)
2. Ethics Commission proposed policy for handling Sunshine-related complaints (attachment) (discussion and possible action) (30 minutes)
3. Administrator's Report. (discussion only) (attachment) (5 min)
4. Public Comment on items not listed on the agenda (no action) (no attachment)
5. Announcements, questions, and future agenda items from Committee members (discussion only) (no attachment)

Adjournment **Next regularly scheduled meeting: Feb. 9, 2011**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each

(*Above total speaking times for Complainant and City to be the same.)*

3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment *(Excluding Complainant & City response, witnesses)*	Up to 3 minutes each
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City and County of San Francisco

Sunshine Ordinance Task Force - Compliance & Amendments Committee

January 11, 2011

SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
MINUTES

Tuesday, January 11, 2011
4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn, David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

Call to Order: 4:00 p.m. and starting at 4:08 p.m.

Roll Call: Present: Snyder, Knee, Washburn, Johnson (in at 4:10)
Excused: Wolfe

Deputy City Attorney: Jerry Threet (not present)
Clerk: Chris Rustom

Agenda Changes: None

1. Approval of December 14, 2010, regular meeting minutes.

   Member Knee, seconded by Member Snyder, moved to continue the item to the next meeting.

   Public Comment: None

   The motion carried on the following vote:
   Ayes: 3 – Snyder, Knee, Washburn

2. Ethics Commission proposed policy for handling Sunshine-related complaints.

   Heard: Member Snyder gave an overview of his proposal based on Allen Grossman's draft. Members then questioned him on certain topics. Member Knee is to give the Ethics Commission an update and thank them for their patience.

   Public Comment: None.

3. Administrator's Report.

   Mr. Rustom made the report.

4. Public Comment on items not listed on the agenda. None

5. Announcements, questions, and future agenda items from Committee members.

   Member Knee said the Society of Professional Journalists has extended the deadline for accepting nominations for its annual James Madison Award, and details are available at www.spjnorthcal.org.

Adjournment

There being no further business, the Compliance and Amendments Committee adjourned at the hour of 4:56 p.m.

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February 8, 2011

SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
AGENDA

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Tuesday, February 8, 2011
4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn (Chair), David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

Note: Public comment on items not listed on the agenda (Item # 9) will be taken at 5:00 p.m. or as soon thereafter as possible.

Call to Order, Roll Call, Agenda Changes

1.		Approval of December 14, 2010.regular meeting minutes (attachment) (action) (5 min)
2.		Approval of January 11, 2011. regular meeting minutes (attachment) (action) (5 min)
3.	10052	Hearing on the status of the November 30, 2010, Order of Determination of Kai Wilson against the North of Market/Tenderloin Community Benefit District. (discussion and possible action item) (attachment) (15 min)
4.	10059	Hearing on the status of the January 25, 2011 Order of Determination of Dorian Maxwell against the SF Municipal Transportation Agency. (discussion and possible action item) (attachment) (15 min)
5.	10063	Hearing on the status of the January 25, 2011, Order of Determination of Debra Benedict against the Mayor's Office of Economic & Workforce Development. (discussion and possible action item) (attachment) (15 min)
6.	10069	Hearing on the status of the January 25, 2011 Order of Determination of William and Robert Clark against the Arts Commission. (discussion and possible action item) (attachment) (15 min)
7.		Ethics Commission proposed policy for handling Sunshine-related complaints (attachment) (discussion and possible action) (30 minutes)
8.		Administrator's Report. (discussion only) (attachment) (5 min)

City and County of San Francisco

Sunshine Ordinance Task Force - Compliance & Amendments Committee

February 8, 2011

SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
MINUTES

Tuesday, February 8, 2011
4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn, David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

Call to Order: 4:00 p.m.

Roll Call: Present: Snyder (left at 6:31), Knee, Washburn, Wolfe (in at 4:41)
Excused: Johnson

Deputy City Attorney: Jerry Threet (not present)
Clerk: Chris Rustom

Agenda Changes: Items heard in this order: 1,2,3,5,6,9,4 & 7

1. Approval of December 14, 2010,.regular meeting minutes.

Member Knee, seconded by Member Snyder, moved to approve the December 14, 2010, regular meeting minutes.

Public Comment: None

The motion carried on the following vote:
Ayes: 3 – Snyder, Knee, Washburn
Excused: 1 - Johnson
Absent: 1 - Wolfe

2. Approval of January 11, 2011, regular meeting minutes.

Member Knee, seconded by Member Washburn, moved to approve the January 11, 2011, regular meeting minutes.

Public Comment: None

The motion carried on the following vote:
Ayes: 3 – Snyder, Knee, Washburn
Excused: 1 - Johnson
Absent: 1 - Wolfe

3. 10052 Hearing on the status of the November 30, 2010, Order of Determination of Kai Wilson against the North of Market/Tenderloin Community Benefit District.

Heard: Complainant Kai Wilson and Respondent Dina Hilliard of the North of Market/Tenderloin Community Benefit District provided a status report.

Member Knee, seconded by Member Snyder, moved to find that the Order of Determination has been met.

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Public Comment: None

The motion carried on the following vote:
Ayes: 3 – Snyder, Knee, Washburn
Excused: 1 - Johnson
Absent: 1 - Wolfe

4. 10059 Hearing on the status of the January 25, 2011 Order of Determination of Dorian Maxwell against the San Francisco Municipal Transportation Agency.

Heard: Complainant Dorian Maxwell was not present. Respondent Cyndia Chambers of the San Francisco Municipal Transportation Agency provided a status report.

Member Knee, seconded by Member Snyder, moved to continue the matter to March 8, 2011, Compliance and Amendments Committee meeting because the Order of Determination has yet to be met.

Public Comment: None

The motion carried on the following vote:
Ayes: 4 – Snyder, Knee, Wolf, Washburn
Excused: 1 - Johnson

5. 10063 Hearing on the status of the January 25, 2011, Order of Determination of Debra Benedict against the Mayor's Office of Economic & Workforce Development.

Heard: Complainant Debra Benedict and Respondent Myisha Hervey of the Mayor's Office of Economic & Workforce Development provided a status report.

Member Wolfe was noted arriving at 4:41 p.m.

Member Knee, seconded by Member Washburn moved to refer the matter back to the full Task Force with a recommendation that it be forwarded to the Ethics Commission for disciplinary action because of inaction on the Order of Determination.

Public Comment: Allen Grossman spoke in favor of the motion.

The motion carried on the following vote:
Ayes: 4 – Snyder, Knee, Wolf, Washburn
Excused: 1 - Johnson

6. 10069 Hearing on the status of the January 25, 2011 Order of Determination of William and Robert Clark against the Arts Commission.

Heard: Complainant William Clark and Respondent Julio Mattos of the Arts Commission provided a status report.

Member Knee, seconded by Member Wolfe, moved to refer the matter back to the full Task Force with a recommendation that it be forwarded to the Ethics Commission for disciplinary action because the Order of Determination was not met within the prescribed period.

Public Comment: None

The motion carried on the following vote:
Ayes: 4 – Snyder, Knee, Wolf, Washburn
Excused: 1 - Johnson

7. Ethics Commission proposed policy for handling Sunshine-related complaints.

Heard: Member Snyder and Allen Grossman presented their counter-proposal. It was decided to make additional modifications to the draft and to further discuss it at the March 8, 2011, Compliance and Amendments Committee meeting.

Member Snyder was noted leaving at 6:31 p.m.

8. Administrator's Report.

9. Public Comment on items not listed on the agenda.

10. Announcements, questions, and future agenda items from Committee members.

Adjournment

There being no quorum, the Compliance and Amendments Committee adjourned at the hour of 6:31 p.m.

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March 8, 2011

SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
AGENDA

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Tuesday, March 8, 2011
4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn (Chair), David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

Note: Public comment on items not listed on the agenda (Item # 6) will be taken at 5:00 p.m. or as soon thereafter as possible.

Call to Order, Roll Call, Agenda Changes

1. Approval of February 8, 2011, regular meeting minutes (attachment) (action) (5 min)

2. 10059 Continued hearing on the status of the January 25, 2011, Order of Determination of Dorian Maxwell against the SF Municipal Transportation Agency. (discussion and possible action item) (attachment) (15 min)

3. 10074 Hearing on the status of the February 22, 2011, Order of Determination of William J Clark and Robert J Clark against the Arts Commission. (discussion and possible action item) (attachment) (15 min)

4. Ethics Commission proposed policy for handling Sunshine-related complaints (attachment) (discussion and possible action) (30 minutes)

5. Administrator's Report. (discussion only) (attachment) (5 min)

6. Public Comment on items not listed on the agenda (no action) (no attachment)

7. Announcements, questions, and future agenda items from Committee members (discussion only) (no attachment)

Adjournment **Next regularly scheduled meeting: April 12, 2011**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations. Any person speaking during a public comment period may supply a written summary of

his/her comments, which, if no more than 150 words, shall be included in the official file.

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	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	Up to 5 minutes
	Other parties of City respond	Up to 3 minutes each

Above total speaking times for Complainant and City to be the same.

3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	Up to 3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment *(Excluding Complainant & City response, witnesses)*	Up to 3 minutes each
7.	Vote by Task Force *(Public comment at discretion of chair on new motion and/or on new motion if vote fails.)*	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

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554-7854; or by email at sotf@sfgov.org.

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Sunshine Ordinance Task Force

City Hall
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http://www.sfgov.org/sunshine

SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
MINUTES

Tuesday, March 8, 2011
4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn, David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

Call to Order: 4:00 p.m.

Roll Call: Present: Knee, Washburn, Wolfe (in at 4:37), Johnson
Excused: Snyder

Deputy City Attorney: Jerry Threet (not present)
Clerk: Chris Rustom

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Agenda Changes: Item #6 heard before Item #3

1. Approval of February 8, 2011, regular meeting minutes.

Starts about 0:00:52 **Member Knee, seconded by Member Johnson, motioned to approve the minutes.**

Public Comment: Tomas Picarello said the Task Force is not serving the public when it does not provide detailed minutes. He suggested asking the Clerk of the Board to have the meetings be videotaped or request that an additional person be added to staff. Allen Grossman said the ordinance calls for the Clerk of the Board to appoint an administrator who only answers to the Task Force. He said if a person wants to know why a case is referred to the Ethics Commission that person has to spend hours listening to the audio.

The motion carried on the following vote:
Ayes: 3 – Knee, Johnson Washburn
Excused: 2 – Snyder, Wolfe

2. 10059 Continued hearing on the status of the January 25, 2011, Order of Determination of Dorian Maxwell against the SF Municipal Transportation Agency.

Starts **Heard**: Complainant Dorian Maxwell and Respondent Cyndia Chambers provided

about 0:16:37 their status reports.

Member Knee, seconded by Member Wolfe, motioned to send the matter back to the Task Force with a recommendation that it be forwarded to the Education, Outreach and Training Committee.

Public Comment: Tomas Picarello said a willful violation of the Ordinance should be part of the Order of Determination and let Muni prove that it was not. Allen Grossman said the Task Force should focus on the MTA leadership who have signed the Sunshine declaration form. He said the issue is non-compliance with the Order of Determination and the matter should be forwarded to the Ethics Commission.

Member Wolfe withdrew his second. Motion died for lack of a second.

Member Wolfe, seconded by Member Johnson, motioned that the matter be sent back to the Task Force with a recommendation that SF Municipal Transportation Agency Executive Director and CEO Nathaniel P. Ford, Sr. be found in violation of Section 67.33 for failure to instruct MTA employees on Sunshine requirements and the matter be forwarded to the Ethics Commission.

Public Comment: Allen Grossman said Ms. Chambers' supervisor should be named in the recommendation.

Member Knee, seconded by Member Wolfe, motioned to replace Mr. Ford with David Hill, Director of Bus Operations.

Public Comment: None.

The motion carried on the following vote:
Ayes: 4 – Knee, Wolf, Johnson, Washburn
Excused: 1 – Snyder

3. 10074 Hearing on the status of the February 22, 2011, Order of Determination of William J Clark and Robert J Clark against the Arts Commission.

Starts about 1:25:37 **Heard:** Co-complainants William J. Clark and Robert J Clark provided a status report. Julio Mattos provided the Arts Commission's response.

Member Knee, seconded by Member Wolfe, motioned to have the matter referred back to the full Task Force with a recommendation for referral to the Ethics Commission for non-compliance with the Order of Determination.

Public Comment: None.

The motion carried on the following vote:
Ayes: 4 – Knee, Wolf, Johnson, Washburn
Excused: 1 – Snyder

4. Ethics Commission proposed policy for handling Sunshine-related complaints.

Starts about 1:54:07 Chair Washburn invited Allen Grossman to the podium to discuss the topic. After further discussion the matter was continued to the April meeting.

Public Comment: Tomas Picarello said he appreciated Allen Grossman's proposal on the issue but found his document to be legally unsustainable. He also said the City Attorney can enforce the Task Force's Order of Determination under Section 67.35(d).

5. Administrator's Report.

Starts about 2:48:22 Mr. Rustom made the report.

Public Comment: None.

6. Public Comment on items not listed on the agenda.

Starts about 1:21:15 Allen Grossman read aloud Section 67.16 and spoke against action minutes. He said if every other board or commission can produce detailed minutes, so could the Task Force. Tomas Picarello said the Task Force needs to rethink the mechanism it has to reach out to the public because public participation would help it in enforcing the ordinance.

7. Announcements, questions, and future agenda items from Committee members.

Starts about 2:48:37 Member Wolfe suggested that the Order of Determination be officially attached to the minutes.

Adjournment

There being no further business, the Compliance and Amendments Committee adjourned at the hour of 6:55 p.m.

APPROVED: September 13, 2011

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April 12, 2011

SUNSHINE ORDINANCE TASK FORCE

COMPLIANCE AND AMENDMENTS COMMITTEE

AGENDA

Tuesday, April 12, 2011

4:00 p.m., City Hall, Room 406

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Committee Members: Allyson Washburn (Chair), David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

Note: Public comment on items not listed on the agenda (Item # 4) will be taken at 5:00 p.m. or as soon thereafter as possible.

Call to Order, Roll Call, Agenda Changes

1. Approval of March 8, 2011, regular meeting minutes (attachment) (action) (5 min)
2. Ethics Commission proposed policy for handling Sunshine-related complaints (attachment) (discussion and possible action) (30 minutes)
3. Administrator's Report. (discussion only) (attachment) (5 min)
4. Public Comment on items not listed on the agenda (no action) (no attachment)
5. Announcements, questions, and future agenda items from Committee members (discussion only) (no attachment)

Adjournment **Next regularly scheduled meeting: May 10, 2011**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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1.	Complainant presents his/her facts and evidence	Up to 5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	Up to 5 minutes
	Other parties of City respond	Up to 3 minutes each

Above total speaking times for Complainant and City to be the same.

3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	Up to 3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment *(Excluding Complainant & City response, witnesses)*	Up to 3 minutes each
7.	Vote by Task Force *(Public comment at discretion of chair on new motion and/or on new motion if vote fails.)*	

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Sunshine Ordinance Task Force

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http://www.sfgov.org/sunshine

SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
MINUTES

Tuesday, April 12, 2011
4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn, David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

Call to Order: 4:05 p.m.

Roll Call: Present: Snyder (out at 5:40), Knee, Washburn, Wolfe (in at 4:15), Johnson (in at 4:15)

Deputy City Attorney: Jerry Threet (not present)
Clerk: Chris Rustom

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Agenda Changes: None

1. Approval of March 8, 2011, regular meeting minutes.

Starts about 0:00:36 **Member Snyder, seconded by Member Knee, motioned to approve the minutes.**

Public Comment: Tomas Picarello said the minutes are supposed to enlighten the public as to what was said and done during a meeting. Allen Grossman said complete minutes are required for those, including Ethics Commission staff, who want to review how the Task Force reached a certain decision. He said the Clerk of the Board should not dictate the administrator's actions. Charles Pitts read aloud Section 67.16 and said it must be followed.

The motion was withdrawn.

Member Washburn, seconded by Member Knee, motioned to continue the minutes to the next regularly scheduled meeting because it needed revision as it did not meet the requirements of Sunshine Ordinance Section 67.16.

Public Comment: Allen Grossman, Tomas Picarello, Debra Benedict and Charles Pitts spoke on the importance of having expanded minutes.

The motion carried on the following vote:
Ayes: 5 – Snyder, Knee, Wolfe, Johnson, Washburn

2. Ethics Commission proposed policy for handling Sunshine-related complaints.

Starts about 0:33:04 **Chair Washburn invited Allen Grossman to the podium to discuss the issue. The discussion continued until 5:40 p.m. when Member Snyder left the room. He was followed by Mr. Grossman. Chair Washburn called for a 5-minute recess. The meeting reconvened at 5:50 p.m. and discussion continued.**

Public Comment: Tomas Picarello suggested holding a joint meeting with Ethics Commission members.

Member Snyder noted leaving room at 5:40 p.m.

Public Comment: Tomas Picarello said the public is losing in the turf war between the Task Force and the Ethics Commission. He suggested both parties to meet and solve the issues.

Chair Washburn instructed Mr. Rustom to put together the proposed response and send the document to Committee members.

3. Administrator's Report.

Starts about 1:57:30 Mr. Rustom made the report.

Public Comment: None.

4. Public Comment on items not listed on the agenda.

Starts about 1:58:45 Tomas Picarello wanted to know how the Task Force would handle complaints concerning closed session issues. He also said he has noticed that the Board of Supervisors has increased the number of closed sessions recently.

5. Starts about 2:07:23 Announcements, questions, and future agenda items from Committee members.

None.

Adjournment

There being no further business, the Compliance and Amendments Committee adjourned at the hour of 6:15 p.m.

APPROVED: May 10, 2011

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May 10, 2011

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SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
AGENDA

Tuesday, May 10, 2011
4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn (Chair), David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

Note: Public comment on items not listed on the agenda (Item # 5) will be taken at 5:00 p.m. or as soon thereafter as possible.

Call to Order, Roll Call, Agenda Changes

1. Approval of March 8, 2011, regular meeting minutes (attachment) (action) (5 min)
2. Approval of April 12, 2011, regular meeting minutes (attachment) (action) (5 min)
3. Ethics Commission proposed policy for handling Sunshine-related complaints (attachment) (discussion and possible action) (30 minutes)
4. Administrator's Report. (discussion only) (attachment) (5 min)
5. Public Comment on items not listed on the agenda (no action) (no attachment)
6. Announcements, questions, and future agenda items from Committee members (discussion only) (no attachment)

Adjournment **Next regularly scheduled meeting: June 14, 2011**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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4.	Respondent and Complainant presents clarification/rebuttal	Up to 3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment *(Excluding Complainant & City response, witnesses)*	Up to 3 minutes each
7.	Vote by Task Force *(Public comment at discretion of chair on new motion and/or on new motion if vote fails.)*	

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Sunshine Ordinance Task Force

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-7724
Fax No. 554-7854
TDD/TTY No. 544-5227

http://www.sfgov.org/sunshine

SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
MINUTES

Tuesday, May 10, 2011
4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn, David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

Call to Order: 4:00 p.m. and starting at 5:00 p.m.

Roll Call: Present: Knee, Washburn, Johnson (in at 4:55)
Excused Snyder, Wolfe

Deputy City Attorney: Jerry Threet (not present)
Clerk: Chris Rustom

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Agenda Changes: None

1. Approval of March 8, 2011, regular meeting minutes.

Member Knee, seconded by Member Johnson, motioned to continue the minutes.

Public Comment: None

The motion carried on the following vote:
Ayes: 3 - Knee, Johnson, Washburn
0:01:00 Excused: 2 - Snyder, Wolfe

2. Approval of April 12, 2011, regular meeting minutes.

Member Knee, seconded by Member Johnson, motioned to approve the minutes.

Second withdraws because minutes violate Section 67.16 and the time-stamp is not included.

Member Knee, seconded by Member Johnson, motioned to continue the minutes.

Public Comment: Allen Grossman said the Clerk of the Board should not dictate how the minutes are to be taken. He said the administrator works for the Task Force and not the Clerk of the Board. Tomas Picarello said a motion to disapprove the minutes was in order.

Second withdraws motion. Motion dies for lack of a second.

Member Johnson, seconded by Member Knee, motioned to disapprove the minutes.

Public Comment: None.

The motion carried on the following vote:
Ayes: 3 - Knee, Johnson, Washburn
0:02:40 Excused: 2 - Snyder, Wolfe

3. Ethics Commission proposed policy for handling Sunshine-related complaints.

Allen Grossman was invited to the podium but he refused because of Member Snyder's email that said the committee should go ahead with Mr. Grossman's draft.

Member Johnson, seconded by Member Knee, motioned to approve the draft version provided by Allen Grossman and replace Section VIII (b) with new language submitted during the discussions.

Public Comment: Tomas Picarello spoke in favor. Allen Grossman said timing on this matter was important because the Ethic Commission continues to investigate and dismiss Task Force referrals.

The motion carried on the following vote:
Ayes: 3 - Knee, Johnson, Washburn
Excused: 2 - Snyder, Wolfe

0:25:15 Member Knee to notify the Ethics Commission that a response to their proposal would be ready by June.

4. Administrator's Report.

Mr. Rustom made the report.

0:52:45 Public Comment: None.

5. Public Comment on items not listed on the agenda.

Allen Grossman said he is worried that the DCA assigned to the Task Force has adopted the City Attorney's view that the Charter trumps the Sunshine Ordinance. Tomas Picarello said he is troubled by the increase in the number of closed sessions held by the Board of Supervisors.

Member Knee told Mr. Grossman that DCA Threet had offered to provide a detailed analysis but the time it took to do one would be deducted for the time allotted to the
0:55:15 Task Force.

6. Announcements, questions, and future agenda items from Committee members.

Member Knee wanted to know the status of #11013_Patrick Monette-Shaw v Controller's Office & Ethics Commission. Mr Rustom said the Order of Determination would go out within the week. Mr. Knee told Mr. Rustom that it was important that the Orders are issued within five days of the decision date. Mr.
1:03:45 Rustom agreed and said he would explore ways to expedite the matter.

Adjournment

There being no further business, the Compliance and Amendments Committee adjourned at the hour of 6:08 p.m.

APPROVED: July 12, 2011

This meeting has been audio recorded and is on file in the Office of the Sunshine Ordinance Task Force, Rm. 244, City Hall, No. 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102, Phone 554-7724 and at http://www.sfbos.org/index.aspx?page=9811

June 14, 2011

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SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
AGENDA

Tuesday, June 14, 2011
4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn (Chair), David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

Note: Public comment on items not listed on the agenda (Item # 11) will be taken at 5:00 p.m. or as soon thereafter as possible.

Call to Order, Roll Call, Agenda Changes

1.		Approval of March 8, 2011, regular meeting minutes (attachment) (action) (5 min)
2.		Approval of April 12, 2011, regular meeting minutes (attachment) (action) (5 min)
3.		Approval of May 10, 2011, regular meeting minutes (attachment) (action) (5 min)
4.	11014	Hearing on the status of the May 18, 2011, Order of Determination of Patrick Monette-Shaw v Ethics Commission. (discussion and possible action item) (attachment) (15 min)
5.	11015	Hearing on the status of the May 18, 2011, Order of Determination of Larry Littlejohn against the Sheriff's Department. (discussion and possible action item) (attachment) (15 min)
6.	11016	Hearing on the status of the May 5, 2011, Order of Determination of Andrew Sisneros against the San Francisco Municipal Transportation Agency. (discussion and possible action item) (attachment) (15 min)
7.	11028	Hearing on the status of the Mau 24, 2011, Order of Determination of Charles Pitts against Supervisor Jane Kim. (discussion and possible action item) (attachment) (15 min)
8.	11030	Hearing on the status of the Mau 24, 2011, Order of Determination of Charles Pitts against Supervisor Mark Farrell. (discussion and possible action item) (attachment) (15 min)
9.		Next steps on Ethics Commission proposed policy for handling Sunshine-related complaints (attachment) (discussion and possible action) (30 minutes)
10.		Administrator's Report. (discussion only) (attachment) (5 min)
11.		Public Comment on items not listed on the agenda (no action) (no attachment)
12.		Announcements, questions, and future agenda items from Committee members (discussion only) (no attachment)

Adjournment **Next regularly scheduled meeting: July 12, 2011**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations. Any person speaking during a public comment period may supply a written summary of his/her comments, which, if no more than 150 words, shall be included in the official file.

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the proceeding begins, written comments regarding the subject of the meeting or hearing; these comments will be part of the official public record.

1.	Complainant presents his/her facts and evidence	Up to 5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	Up to 5 minutes
	Other parties of City respond	Up to 3 minutes each

Above total speaking times for Complainant and City to be the same.

3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	Up to 3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment *(Excluding Complainant & City response, witnesses)*	Up to 3 minutes each
7.	Vote by Task Force *(Public comment at discretion of chair on new motion and/or on new motion if vote fails.)*	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access: The hearing room is wheelchair accessible.

Chemical-Based Products: In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City to accommodate these individuals.

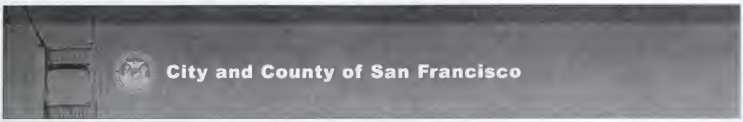
Cell phones, pagers and similar sound-producing electronic devices: The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE: Government's duty is to serve

the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact the Administrator by mail to: Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102-4689; by phone at (415) 554-7724; by fax at (415) 554-7854; or by email at sotf@sfgov.org.

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Sunshine Ordinance Task Force - Compliance & Amendments Committee

June 14, 2011 - no quorum

SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
DRAFT MINUTES

Tuesday, June 14, 2011
4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn, David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

Call to Order: 4:00 p.m. and starting at 4:30 p.m.

Roll Call: Present: Knee, Johnson
Absent: Washburn, Snyder, Wolfe

Deputy City Attorney: Jerry Threet (not present)
Clerk: Chris Rustom

Adjournment

There being no quorum, the Compliance and Amendments Committee adjourned at the hour of 4:30 p.m.

This meeting has been audio recorded and is on file in the Office of the Sunshine Ordinance Task Force, Rm. 244, City Hall, No. 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102, Phone 554-7724 and at http://www.sfbos.org/index.aspx?page=9811

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July 12, 2011

SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
AGENDA

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Tuesday, July 12, 2011
4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn (Chair), David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

Note: Public comment on items not listed on the agenda (Item # 13) will be taken at 5:00 p.m. or as soon thereafter as possible.

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Call to Order, Roll Call, Agenda Changes

1.		Approval of March 8, 2011, regular meeting minutes (attachment) (action) (5 min)
2.		Approval of April 12, 2011, regular meeting minutes (attachment) (action) (5 min)
3.		Approval of May 10, 2011, regular meeting minutes (attachment) (action) (5 min)
4.	11023	Hearing on the status of the May 18, 2011, Order of Determination of William Clark v Arts Commission. (discussion and possible action item) (attachment) (15 min)
5.	11013	Hearing on the status of the April 26, 2011, Order of Determination of Patrick Monette-Shaw v the Controller's Office and the Ethics Commission. (discussion and possible action item) (attachment) (15 min)
6.	11014	Hearing on the status of the May 18, 2011, Order of Determination of Patrick Monette-Shaw v Ethics Commission. (discussion and possible action item) (attachment) (15 min)
7.	11015	Hearing on the status of the May 18, 2011, Order of Determination of Larry Littlejohn against the Sheriff's Department. (discussion and possible action item) (attachment) (15 min)
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11.		Next steps on Ethics Commission proposed policy for handling Sunshine-related complaints (attachment) (discussion and possible action) (30 minutes)
12.		Administrator's Report. (discussion only) (attachment) (5 min)
13.		Public Comment on items not listed on the agenda (no action) (no attachment)
14.		Announcements, questions, and future agenda items from Committee members (discussion only) (no attachment)

Adjournment **Next regularly scheduled meeting: Aug. 9, 2011**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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Above total speaking times for Complainant and City to be the same.

3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	Up to 3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment *(Excluding Complainant & City response, witnesses)*	Up to 3 minutes each
7.	Vote by Task Force *(Public comment at discretion of chair on new motion and/or on new motion if vote fails.)*	

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SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
MINUTES

Tuesday, July 12, 2011
4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn, David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

Call to Order: 4:02 p.m.

Roll Call: Present: Washburn, Snyder, Knee, Wolfe, Johnson

Deputy City Attorney: Jerry Threet (not present)
Clerk: Chris Rustom

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Agenda Changes: Item 13 heard after Item 4

1. Approval of March 8, 2011, regular meeting minutes.

Starts about 0:02:15 **Member Wolfe, seconded by Member Knee, motioned to continue the item to the next meeting.**

Public Comment: Tomas Picarello said to expect more challenges to the minutes if the discussions with the Clerk of the Board are unsuccessful.

The motion carried on the following vote:
Ayes: Snyder, Knee, Wolfe, Johnson, Washburn

2. Approval of April 12, 2011, regular meeting minutes.

Starts about 0:08:15 **Member Knee, seconded by Member Wolfe, motioned to continue the item to the next meeting.**

Public Comment: None

The motion carried on the following vote:
Ayes: Snyder, Knee, Wolfe, Johnson, Washburn

3. Approval of May 10, 2011, regular meeting minutes.

Starts about 0:09:51

Member Wolfe, seconded by Member Knee, motioned to approve the minutes.

Public Comment: None

The motion carried on the following vote:
Ayes: Snyder, Knee, Wolfe, Johnson, Washburn

4. 11023 Hearing on the status of the May 18, 2011, Order of Determination of William Clark v Arts Commission.

Starts about 0:11:50

Heard: Complainant William Clark and Julio Mattos of the Arts Commission updated Task Force members on the status of the case.

Member Johnson, seconded by Member Knee, motioned to refer the matter back to the full Task Force with the recommendation that Street Artists Program Director Howard Lazar be referred to the District Attorney and the Board of Supervisors for failure to comply with the Order of Determination

Public Comment: Allen Grossman said the only person who is knowledgeable on the reclassification issue is Mr. Lazar and he should be told to attend the next Task Force hearing to provide the answers. Patrick Monette-Shaw said Section 67.34 should be rewritten to hold individual City employees responsible for their actions, and for departments, agencies, boards and commissions to be treated as individuals as does the Supreme Court. Robert Clark said Mr. Lazar was responsible for Ms. Russell's job reclassification process, and that Mr. Lazar had the answers to all the questions the complainant has. Tomas Picarello said the Task Force should be friendly to the complainant and assist in identifying the custodian of records.

The motion carried on the following vote:
Ayes: Snyder, Knee, Wolfe, Johnson, Washburn

5. 11013 Hearing on the status of the April 26, 2011, Order of Determination of Patrick Monette-Shaw v the Controller's Office and the Ethics Commission.

Starts about 0:54:10

Member Knee left the room because he has been recused in this matter.

Heard: Complainant William Clark, John St. Croix of the Ethics Commission and Tonia Lediju of the Controller's Office stated their individual positions on the case.

Member Johnson, seconded by Member Wolfe, motioned to refer the matter back to the full task Force with the recommendation that Mr. St. Croix and Ms. Lediju be found in willful violation and official misconduct for failure to comply with the Order of Determination and the matter be forwarded to the District Attorney and the Ethics Commission for enforcement while a copy of the referral be sent to the San Francisco Civil Grand Jury.

Public Comment: Dr. Derek Kerr said whistleblower complaints are not entirely confidential because many City employees at various departments get to see the details of the investigation. In the process, he said, details are leaked and retaliation

occurs. Dr. Maria Rivero said she and Dr. Kerr were simply asking for a copy of a memo between two departments and not for confidential information related to the whistleblower investigation. Tomas Picarello said the Committee should not be relitigating the issue because it's task is to only see if the departments have complied with the Orders of Determination. Allen Grossman said the willful failure of Mr. St. Croix and Ms. Lediju to comply with the Order of Determination should be deemed official misconduct and that finding must be investigated by the ethics commission of the City or a nearby jurisdiction. Charles Pitts said seeking Oakland's assistance was similar to going sideways. He suggested going upwards to the State Attorney General's Office in order for it to become a lawsuit.

The motion carried on the following vote:
Ayes: 4 - Snyder, Wolfe, Johnson, Washburn
Recused: 1 - Knee

Member Knee returns to the podium.

6. 11014 Hearing on the status of the May 18, 2011, Order of Determination of Patrick Monette-Shaw v Ethics Commission.

Starts about 1:43:00

Heard: Complainant William Clark and John St. Croix of the Ethics Commission stated their positions on the case.

Member Snyder, seconded by Member Johnson, motioned to refer the matter back to the full task Force with the recommendation that Mr. St. Croix be found in willful violation and official misconduct for failure to comply with the Order of Determination and the matter be forwarded to the District Attorney and the Ethics Commission for enforcement while a copy of the referral be sent to the San Francisco Civil Grand Jury.

Public Comment: Dr. Derek Kerr said the issue started because of the number of delays in response for documents related to the whistleblower complaint. He said the answer would have been to provide him with redacted documents or let him look at the documents in camera. He added that although he was the whistleblower he was never interviewed or contacted about the complaint. Tomas Picarello said he was saddened that Mr. St. Croix feels vilified. He said he does not think the Civil Grand Jury that issued a report on the Ethics Commission had an agenda before they started their investigation. Allen Grossman said the District Attorney only handles matters that involve crime and because of it the Task Force needs to decide what crime Mr. Croix committed in failing to do his duty as a department head.

The motion carried on the following vote:
Ayes: Snyder, Knee, Wolfe, Johnson, Washburn

7. 11015 Hearing on the status of the May 18, 2011, Order of Determination of Larry Littlejohn against the Sheriff's Department.

Starts about

Heard: The Complainant was not present. No one in the audience spoke or presented evidence in support of the complainant. Freya Horne represented the

2:06:00 Sheriff's Department and provided a status report.

Public Comment: Tomas Picarello said the matter should be concluded if there is an Order of Determination and the complainant does not appear.

No motion was made.

Matter concluded.

8. 11016 Hearing on the status of the May 5, 2011, Order of Determination of Andrew Sisneros against the San Francisco Municipal Transportation Agency.

Starts about 2:12:00 **Heard:** Complainant Andrew Sisneros and Ayn Antonio of the Municipal Transportation Agency stated their positions on the case.

Member Wolfe, seconded by Member Johnson, motioned to refer the matter back to the full task Force with the recommendation that Carolyn Celaya be referred to the Ethics Commission for enforcement as well as the production of records Mr. Sisneros seeks.

Public Comment: Tomas Picarello said referrals that do not include willful and serious violations can be sent to the Ethics Commissions for enforcement. .Dorian Maxwell said Ms Antonio be included in the referral because she is in a managerial position as superintendent of a division.

The motion carried on the following vote:
Ayes: Snyder, Knee, Johnson, Wolfe, Washburn

9. 11028 Hearing on the status of the May 24, 2011, Order of Determination of Charles Pitts against Supervisor Jane Kim.

Starts about 2:54:00 **Heard:** Complainant Charles Pitts and Supervisor Jane Kim's legislative aide Matthias Mormino stated their positions on the case.

Member Johnson, seconded by Member Wolfe, motioned to recommend to the full Task Force that a letter be sent to the Supervisors regarding email retention as well as reminding them of their obligations under Section 67.21(c).

Public Comment: Tomas Picarello said the Task Force should have challenged Supervisor Kim's claim that she appointed three members to the Shelter Monitoring Committee without speaking to anybody and without having any documents related to the appointments. Allen Grossman said Section 67.9, says documents that are handed out at meetings are public documents and they should be made available to the public.

The motion carried on the following vote:
Ayes: Snyder, Knee, Wolfe, Johnson, Washburn

10. 11030 Hearing on the status of the May 24, 2011, Order of Determination of Charles Pitts

against Supervisor Mark Farrell.

Starts about 3:42:51

Heard: Complainant Charles Pitts presented his case. Tomas Picarello spoke in support of Mr. Pitts. Supervisor Mark Farrell's legislative aide Catherine Stefani detailed her response.

Member Johnson, seconded by Member Wolfe, motioned to recommend to the full Task Force that a letter be sent to the Supervisors regarding email retention as well as reminding them of their obligations under Section 67.21(c).

Public Comment: Allen Grossman said he Task Force could send the letters but it really depends on the quality of the supervisor. He said it was not easy to get honest political representation.

The motion carried on the following vote:
Ayes: Snyder, Knee, Wolfe, Johnson, Washburn

11. Next steps on Ethics Commission proposed policy for handling Sunshine-related complaints.

Starts about 4:08:00

Member Knee, seconded by Member Wolfe, motioned to have the item heard at a special meeting of the Compliance and Amendments Committee or at the next Sunshine Ordinance Task Force meeting, whichever comes first.

Public Comment: Allen Grossman said just three members of this five-member committee could meet on a certain day next week and dispose of the matter easily.

The motion carried on the following vote:
Ayes: Snyder, Knee, Wolfe, Johnson, Washburn

12. Administrator's Report.

Starts about 4:27:15

Mr. Rustom made the report.

Public Comment: None.

13. Public Comment on items not listed on the agenda.

Starts about 0:52:20

Patrick Monette-Shaw told the Task Force not to believe what they see in the press about the whistleblower report because the Citizens' Audit Review Board was formed during a General Obligation Bond Oversight Committee meeting within the past year and not seven years as claimed.

14. Announcements, questions, and future agenda items from Committee members.

Starts about 4:27:30

Member Wolf said he may take up the issue of having emails sent to the Supervisors to be bcc'd to the Clerk of the Board at the technology committee that has yet to be formed.

Adjournment

There being no further business, the Compliance and Amendments Committee adjourned at the hour of 8:41 p.m.

APPROVED: September 13, 2011

This meeting has been audio recorded and is on file in the Office of the Sunshine Ordinance Task Force, Rm. 244, City Hall, No. 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102, Phone 554-7724 and at http://www.sfbos.org/index.aspx?page=9811

August 9, 2011

SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
AGENDA

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Tuesday, August 9, 2011
4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn (Chair), David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

Note: Public comment on items not listed on the agenda (Item # 7) will be taken at 5:00 p.m. or as soon thereafter as possible.

Call to Order, Roll Call, Agenda Changes

1.		Approval of March 8, 2011, regular meeting minutes (attachment) (action) (5 min)
2.		Approval of April 12, 2011, regular meeting minutes (attachment) (action) (5 min)
3.		Approval of July 10, 2011, regular meeting minutes (attachment) (action) (5 min)
4.	11023	Hearing on the status of the July 26, 2011, Order of Determination of Alicia Gamez v Department of Public Health. (discussion and possible action item) (attachment) (15 min)
5.		Next steps on Ethics Commission proposed policy for handling Sunshine-related complaints (attachment) (discussion and possible action) (30 minutes)
6.		Administrator's Report. (discussion only) (attachment) (5 min)
7.		Public Comment on items not listed on the agenda (no action) (no attachment)
8.		Announcements, questions, and future agenda items from Committee members (discussion only) (no attachment)

Adjournment **Next regularly scheduled meeting: Sept. 13, 2011**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

Note: Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations. Any person speaking during a public comment period may supply a written summary of his/her comments, which, if no more than 150 words, shall be included in the official file.

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1.	Complainant presents his/her facts and evidence	Up to 5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
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Above total speaking times for Complainant and City to be the same.

3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	Up to 3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment *(Excluding Complainant & City response, witnesses)*	Up to 3 minutes each
7.	Vote by Task Force *(Public comment at discretion of chair on new motion and/or on new motion if vote fails.)*	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

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Sunshine Ordinance Task Force

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http://www.sfgov.org/sunshine

SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
MINUTES

Tuesday, August 9, 2011
4:00 p.m., City Hall, Room 278

Committee Members: Allyson Washburn, David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

Call to Order: 4:00 p.m.

Roll Call: Present: Washburn, Snyder, Knee, Wolfe, Johnson

Deputy City Attorney: Jerry Threet (not present)
Clerk: Chris Rustom

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Agenda Changes: Item 7 heard before Item 5.

1. Approval of March 8, 2011, regular meeting minutes.

Starts about 0:00:45 **Member Knee, seconded by Member Wolfe, motioned to continue the item to the next meeting.**

Public Comment: Tomas Picarello said the minutes are not in compliance with the Sunshine Ordinance.

The motion carried on the following vote:
Ayes: Snyder, Knee, Wolfe, Johnson, Washburn

2. Approval of April 12, 2011, regular meeting minutes.

Starts about 0:05:40 **Member Knee, seconded by Member Wolfe, motioned to approve the April 12, 2011, regular meeting minutes.**

Public Comment: Tomas Picarello agreed with the motion and added that the minutes were far better that they have been for the past 12 months.

The motion carried on the following vote:
Ayes: Snyder, Knee, Wolfe, Johnson, Washburn

3. Approval of July 12, 2011, regular meeting minutes.

Starts about 0:21:57 **Member Knee, seconded by Member Wolfe, motioned to continue the item to the next meeting.**

Public Comment: Tomas Picarello said it was correct that he spoke in favor of Charles Pitts in Item 10, but the minutes should reflect what was said.

The motion carried on the following vote:
Ayes: Snyder, Knee, Wolfe, Johnson, Washburn

4. 11023 Hearing on the status of the July 26, 2011, Order of Determination of Alicia Gamez v Department of Public Health.

Starts about 0:27:37 **Heard:** Complainant Alicia presented a status report. Dr. Rajiv Bathia represented the Department of Public Health.

Member Snyder, seconded by Member Knee, motioned that Dr. Rajiv Bathia and Tom Rivard, or their representative, confer with the complainant to identify and produce the requested documents before the Task Force meets on August 23, 2011. The parties are to appear at the meeting at which time the Task Force will determine whether the Order of Determination has been met and if further referral to the Ethics Commission was warranted.

Public Comment: Tomas Picarello said he agrees with the motion.

5. Starts about 2:34:00 Next steps on Ethics Commission proposed policy for handling Sunshine-related complaints.

Member Johnson reported to the Committee on what occurred at the most recent Ethics Commission meeting. After further discussion Chair Washburn was instructed to contact the Chair of the Ethics Commission with regards to holding a joint session before the next Ethics Commission meeting.

Public Comment: Tomas Picarello suggested that at least two members of the Committee attend the joint session to set the process in motion. He also said the Task Force should include John St. Croix in the discussion to hear what he has to say.

6. Administrator's Report.

Starts about 2:55:15 Mr. Rustom made the report.

Public Comment: Tomas Picarello said the charts in the report need more information and that the document should not be presented in landscape mode.

7. Public Comment on items not listed on the agenda.

Starts about 2:33:15 Tomas Picarello said the committee should not relitigate the cases that come before it That has been done by the Task Force and the Committee's role is solely to see whether compliance has been met or not.

8. Announcements, questions, and future agenda items from Committee members.

Starts about 2:57:30
Member Wolfe is to be out of town from August 21 to August 29.
Member Knee is to be out of town from September 10 to September 14.
Member Wolfe suggested that the Committee discuss its scope and objective. Chair Washburn instructed the Clerk to place it on the next agenda.

Adjournment

There being no further business, the Compliance and Amendments Committee adjourned at the hour of 7:03 p.m.

APPROVED: September 13, 2011

This meeting has been audio recorded and is on file in the Office of the Sunshine Ordinance Task Force, Rm. 244, City Hall, No. 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102, Phone 554-7724 and at http://www.sfbos.org/index.aspx?page=9811

September 13, 2011

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SUNSHINE ORDINANCE TASK FORCE COMPLIANCE AND AMENDMENTS COMMITTEE AGENDA

Tuesday, September 13, 2011
4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn (Chair), David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

Note: Public comment on items not listed on the agenda (Item # 9) will be taken at 5:00 p.m. or as soon thereafter as possible.

Call to Order, Roll Call, Agenda Changes

1.		Approval of March 8, 2011, regular meeting minutes. (attachment) (action) (5 min)
2.		Approval of July 12, 2011, regular meeting minutes. (attachment) (action) (5 min)
3.		Approval of August 9, 2011, regular meeting minutes. (attachment) (action) (5 min)
4.	11042	Hearing on the status of the August 23, 2011, Order of Determination of Cynthia Carter v the San Francisco Municipal Transportation Agency. (discussion and possible action item) (attachment) (15 min)
5.	11054	Hearing on the status of the August 23, 2011, Order of Determination of Ray Hartz v Luis Herrera of the Public Library. (discussion and possible action item) (attachment) (15 min)
6.	10054	Reconsideration of the January 25, 2011, Order of Determination of Ray Hartz v Library Commission. (discussion and possible action item) (attachment) (15 min)
7.		Next steps on Ethics Commission proposed policy for handling Sunshine-related complaints (no attachment) (discussion and possible action) (30 minutes)
8.		Administrator's Report. (discussion only) (attachment) (5 min)
9.		Public Comment on items not listed on the agenda (no action) (no attachment)
10.		Announcements, questions, and future agenda items from Committee members (discussion only) (no attachment)

Adjournment **Next regularly scheduled meeting: Oct. 11, 2011**

THE AGENDA PACKET IS AVAILABLE FOR REVIEW MONDAY THROUGH FRIDAY AT CITY HALL, ROOM 244

SUNSHINE ORDINANCE TASK FORCE HEARING PROCEDURES

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2.	City responds	Up to 5 minutes
	Other parties of City respond	Up to 3 minutes each

Above total speaking times for Complainant and City to be the same.

3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	Up to 3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment *(Excluding Complainant & City response, witnesses)*	Up to 3 minutes each
7.	Vote by Task Force *(Public comment at discretion of chair on new motion and/or on new motion if vote fails.)*	

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SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
MINUTES

Tuesday, September 13, 2011
4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn, David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

Call to Order: 4:00 p.m.

Roll Call: Present: Washburn, Snyder, Wolfe, Johnson
Absent: Snyder, Knee

Deputy City Attorney: Jerry Threet (not present)
Clerk: Chris Rustom

Agenda Changes: Item 9 heard before Item 7.

Member Wolfe, seconded by Member Johnson, motioned to excuse Member Knee.

Public Comment: None.

The motion carried by the following vote:

Ayes: 3 - Wolfe, Johnson, Washburn
Absent: 1 - Snyder

1. Approval of March 8, 2011, regular meeting minutes.

Approx. 0:01:09 **Member Wolfe, seconded by Member Johnson, motioned to approve the March 8, 2011, regular meeting minutes.**

Public Comment: None.

The motion carried by the following vote:

Ayes: 3 - Wolfe, Johnson, Washburn
Excused: 1 – Knee
Absent: 1 - Snyder

2. Approval of July 12, 2011, regular meeting minutes.

Approx. 0:03:17 **Member Wolfe, seconded by Member Johnson, motioned to approve the July 12, 2011, regular meeting minutes.**

Public Comment: None.

Member Snyder noted present at 4:06 p.m.

The motion carried by the following vote:

Ayes: 4 – Snyder, Wolfe, Johnson, Washburn
Excused: 1 – Knee

3. Approval of August 9, 2011, regular meeting minutes.

Approx. 0:06:39 **Member Wolfe, seconded by Member Johnson, motioned to approve the August 9, 2011, regular meeting minutes.**

Public Comment: Ray Hartz, San Francisco Open Government, said the Task Force should have certain expectations from the administrator that should not be under the control of the Clerk of the Board.

The motion carried by the following vote:

Ayes: 4 – Snyder, Wolfe, Johnson, Washburn
Excused: 1 – Knee

4. 11042 Hearing on the status of the August 23, 2011, Order of Determination of Cynthia Carter v the San Francisco Municipal Transportation Agency.

Approx. 0:22:55 The Complainant was not present. There was no one in the audience to present facts and figures on behalf of the Complainant. The Respondent was not present. There was no one in the audience to present facts and figures on behalf of the Respondent.

Member Wolfe, seconded by Member Johnson, motioned to continue the item to the October 11, 2011, meeting.

Public Comment: None.

The motion carried by the following vote:

Ayes: 4 – Snyder, Wolfe, Johnson, Washburn
Excused: 1 – Knee

5. 11054 Hearing on the status of the August 23, 2011, Order of Determination of Ray Hartz v Luis Herrera of the Public Library.

Approx. 0:26:20 **Heard:** Complainant Ray Hartz presented a status report. Luis Herrera of the Public Library was not present. No one in the audience presented facts and information on

behalf of the Public Library.

Member Snyder, seconded by Member Wolfe, motioned to have the matter referred back to the Task Force with a recommendation that it be forwarded to the Ethics Commission and the District Attorney for failure to comply with the Order of Determination. A copy of the letter is also to be sent to the Civil Grand Jury.

Public Comment: None.

The motion carried by the following vote:

Ayes: 4 – Snyder, Wolfe, Johnson, Washburn
Excused: 1 – Knee

6. 10054 Reconsideration of the January 25, 2011, Order of Determination of Ray Hartz v Library Commission.

Approx. 0:53:15 Member Johnson said the second sentence in the Order of Determination under "Finding of Facts and Conclusion of Law" was erroneous and needed to be struck out.

Member Johnson, seconded by Member Wolfe motioned to forward the matter to the full Task Force.

Public Comment: Ray Hartz noted that the City Attorney has been careful to only issue memorandums on topics in the Good Government Guide and has not issued legal opinions which have to have a certain style and a signature.

The motion carried by the following vote:

Ayes: 4 – Snyder, Wolfe, Johnson, Washburn
Excused: 1 – Knee

7. Next steps on Ethics Commission proposed policy for handling Sunshine-related complaints.

Approx. 1:43:00 Members discussed the issue and agreed to write to the Ethics Commission to request a joint meeting. Chair Washburn agreed to draft the letter.

Public Comment: None.

8. Administrator's Report.

Approx. 1:46:25 Mr. Rustom made the report.

Public Comment: None.

9. Public Comment on items not on the agenda.

Approx. 1:26:55 Ray Hartz said the Sunshine Ordinance is an extension of the First Amendment, the Constitution of the United States, the California Constitution, the Brown Act and similar documents. He said he goes to meetings to see what he might discover and to make sure that the public's voice is heard and that public documents are made available to the public. Alicia Garmez said Dr. Rajiv Bathia of the Department of Public Health has told her that he has hundreds of documents for her but has yet to provide her with one. She also said she has not heard about the mission of the Noise Ordinance Task Force being extended.

10. Announcements, questions, and future agenda items from Committee members.

Approx. 1:48:10 On Member Wolfe's request Chair Washburn told the clerk to add an item on the next agenda that discusses the role of the Compliance and Amendments Committee. Member Johnson said the Ethics Commission's website has a listing that shows the Sunshine complaints that were dismissed. Member Wolfe said the item should be put on the Task Force agenda and discussed by members.

Adjournment

There being no further business, the Compliance and Amendments Committee adjourned at the hour of 5:53 p.m.

APPROVED: October 11, 2011

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October 11, 2011

11-07-11 10:53 RCVD

SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
AGENDA

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Tuesday, October 11, 2011
4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn (Chair), David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

Note: Public comment on items not listed on the agenda (Item # 7) will be taken at 5:00 p.m. or as soon thereafter as possible.

Call to Order, Roll Call, Agenda Changes

1. Approval of September 13, 2011, meeting minutes. (attachment) (action) (5 min)

2. 11042 Hearing on the status of the August 23, 2011, Order of Determination of Cynthia Carter v the San Francisco Municipal Transportation Agency. (discussion and action item) (attachment) (15 min)

3. 11049 Continued hearing on the status of the August 8, 2011, Order of Determination of George Wooding v Recreation and Park Department in which the department is urged to work with the Department of Technology to recover deleted data. (discussion and action item) (attachment) (15 min)

4. Next steps on Ethics Commission proposed policy for handling Sunshine-related complaints, including sending a letter to Supervisor Campos encouraging him to officially schedule a meeting between the Commission and the Task Force. (attachment) (discussion and possible action) (30 minutes)

5. Primary role of the Compliance and Amendments Committee following the Sunshine Ordinance Task Force's findings in a complaint by a member of the public. (discussion and action item) (attachment) (15 min)

6. Administrator's Report. (discussion only) (attachment) (5 min)

7. Public Comment on items not listed on the agenda (no action) (no attachment)

8. Announcements, questions, and future agenda items from Committee members (discussion only) (no attachment)

Adjournment **Next regularly scheduled meeting: Nov. 8, 2011**

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SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS COMMITTEE
MINUTES

Tuesday, October 11, 2011
4:00 p.m., City Hall, Room 406

Committee Members: Allyson Washburn, David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

Call to Order: 4:05 p.m.

Roll Call: Present: Washburn, Knee, Johnson
Absent: Snyder, Wolfe

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Deputy City Attorney: Jerry Threet (not present)
Clerk: Chris Rustom

Agenda Changes: Item 7 heard before Item 4.

Member Knee, seconded by Member Johnson, motioned to excuse Member Snyder and Member Wolfe.

Public Comment: None.

The motion carried by the following vote:

Ayes: 3 - Knee, Johnson Washburn
Absent: 2 – Snyder, Wolfe

1. Approval of September 13, 2011, meeting minutes.

Member Washburn, seconded by Member Knee, motioned to approve the minutes.

Public Comment: None.

The motion carried by the following vote:

Ayes: 3 - Knee, Johnson, Washburn
Excused: 2 – Snyder, Wolfe

2. 11042 Hearing on the status of the August 23, 2011, Order of Determination of Cynthia

Carter v the San Francisco Municipal Transportation Agency.

Heard: Complainant Cynthia Carter provided an update on her case. Caroline Celaya represented the MTA.

Member Knee, seconded by Member Johnson, motioned to send the matter back to the Task Force with a recommendation that it be forwarded to the Ethics Commission for failure to comply with the Order of Determination because Ms. Celaya told the Committee that no action had been taken.

Public Comment: None.

The motion carried by the following vote:

Ayes: 3 - Knee, Johnson Washburn
Excused: 2 – Snyder, Wolfe

3. 11049 Continued hearing on the status of the August 8, 2011, Order of Determination of George Wooding v Recreation and Park Department in which the department is urged to work with the Department of Technology to recover deleted data.

Heard: Complainant George Wooding provided an update on his case. Patrick Monette-Shaw spoke in support of the Complainant. Olive Gong represented the Recreation and Park Department.

Member Snyder noted present at 4:50 p.m.

Member Knee, seconded by Member Johnson, motioned to send the matter back to the Task Force with a recommendation that it be forwarded to the Ethics Commission for official misconduct by reason of willful failure to comply with the Order of Determination because Mr. Wooding said unrelated documents had been provided to him and Ms. Gong said the technology departments needed more time but could not explain the reasons.

Public Comment: Katherine Howard of the Golden Gate Park Preservation Alliance spoke in support of Mr. Wooding.

The motion carried by the following vote:

Ayes: 4 – Snyder, Knee, Johnson, Washburn
Excused: 1 – Wolfe

4. Next steps on Ethics Commission proposed policy for handling Sunshine-related complaints, including sending a letter to Supervisor Campos encouraging him to officially schedule a meeting between the Commission and the Compliance and Amendments Committee.

Member Washburn, seconded by Member Johnson, motioned to send a letter to the Ethics Commission, with a copy to Supervisor Campos, to officially schedule a meeting between members of the Commission and the

Compliance and Amendments Committee.

Public Comment: None.

The motion passed without objection.

5. Primary role of the Compliance and Amendments Committee following the Sunshine Ordinance Task Force's findings in a complaint by a member of the public.

Item continued without objection to next month because Member Wolfe, who requested that the item be placed on the agenda, was not present.

Item revisited following the presence of Member Wolfe.

Public Comment: None.

6. Administrator's Report.

Mr. Rustom made the report.

Member Wolfe noted present at 5:31 p.m.

Public Comment: None.

7. Public Comment on items not listed on the agenda

None.

8. Announcements, questions, and future agenda items from Committee members.

Member Knee reminded members that meeting schedules need to be adjusted because of the winter holidays. Chair Washburn said she would be out of town between November 17through November 22 and December 21 through December 29.

Adjournment

There being no further business, the Compliance and Amendments Committee adjourned at the hour of 5:47 p.m.

APPROVED: December 13, 2011

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November 8, 2011

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

November 8, 2011 – 4:00 PM

Regular Meeting

11-04-11P01:59 RCVD

Members: Allyson Washburn (Chair), David Snyder
Richard Knee, Bruce Wolfe, Hope Johnson

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1. Call to Order, Roll Call, and Agenda Changes

2. Approval of Minutes from the October 11, 2011 Regular Meeting
(Discussion and Action)
(attachment)(approximately 10 minutes)

3. File No. 11007: Review of Arts Commission's January 12, 2011, audio recording regarding the Street Artists Program
(Discussion and Action)
(*no attachment) (approximately 20 minutes)*

4. File No. 11047: Hearing on the status of the September 27, 2011, Order of Determination of Dorian Maxwell v the San Francisco Municipal Transportation Agency
(Discussion and Action)
(attachment) (approximately 20 minutes)

5. Next steps on Ethics Commission proposed policy for handling Sunshine-related complaints
(Discussion and Action)
(*no attachment) (approximately 20 minutes)*

6. Administrator's Report
(Discussion and Action)
(attachment) (approximately 5 minutes)

7. Public Comment
(No Action)

8. Future Agenda Items

9. Adjournment

SUNSHINE ORDINANCE TASK FORCE
Compliance & Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 406
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

November 8, 2011 – 4:00 PM

Regular Meeting

GOVERNMENT DOCUMENTS DEPT
MAY 25 2012
SAN FRANCISCO PUBLIC LIBRARY

Members: Allyson Washburn (Chair)
David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

1. **Call to Order and Roll Call** *(4:02 p.m. - 4:05 p.m.)*

   The meeting was called to order at 4:02 p.m. On the call of the roll, Member Snyder was noted absent.

   Member Knee, seconded by Member Wolfe, motioned to excuse Member Snyder.

   Public Comment: None.

   The motion was passed without objection.

2. **Approval of Minutes from the October 11, 2011 Regular Meeting** *(4:06 p.m. - 4:13 p.m.)*

   Member Wolfe, seconded by Member Knee, moved to approve the Minutes of October 11, 2011, regular meeting:

   Member Knee, seconded by Member Johnson, moved to continue the item to the December meeting after questions were raised on a certain Committee action.

   Public Comment: None.

   The motion carried by the following vote.
   Ayes: 4 -- Knee, Wolfe, Johnson, Washburn
   Excused: 1 -- Snyder

3. **File No. 11007:** Review of Arts Commission's January 12, 2011, audio recording regarding the Street Artists Program *(4:13 p.m. - 5:25 p.m.)*

William Clark provided an overview of the complaint. Howard Lazar of the Arts Commission presented information relating to the department's response. A question and answer period followed.

Member Wolfe, seconded by Member Knee, motioned to recommend to the Task Force that since both parties agree that the occurrence and the verbal exchange took place at the meeting in question, that both parties work together to recreate as best as possible what was reflected in the section that is missing on the audio tape on paper and the result be approved and made part of the official record and minutes of the Arts Commission

Public Comment: None.

The motion carried by the following vote.
Ayes: 4 -- Knee, Wolfe, Johnson, Washburn
Excused: 1 -- Snyder

4. **File No. 11047:** Hearing on the status of the September 27, 2011, Order of Determination of Dorian Maxwell v the San Francisco Municipal Transportation Agency *(5:29 p.m. - 6:11 p.m.)*

Dorian Maxwell provided an overview of the complaint. Mike Bernado spoke in support of Mr. Maxwell. Rumi Ueno, Employee and Labor Relations Manager at the SFMTA, presented information relating to the department's response. A question and answer period followed.

Member Knee, seconded by Member Wolfe, motioned to continue the item to the December meeting.

Public Comment: None.

The motion carried by the following vote.
Ayes: 4 -- Knee, Wolfe, Johnson, Washburn
Excused: 1 -- Snyder

5. **Next steps on Ethics Commission proposed policy for handling Sunshine-related complaints** *(6:11 p.m. - 6:18 p.m.)*

Member Johnson urged fellow members to attend the Nov. 14 Ethics Commission meeting where the proposed Sunshine complaint policy is expected to be on the agenda and for the Committee to officially thank Supervisor David Campos for his effort to schedule a joint meeting with the Commission and the Committee. Member Knee reminded fellow members to keep in mind Allen Grossman's role in this effort and ask him to speak on behalf of the Committee at the meeting.

6. **Administrator's Report** *(6:18 p.m. - 6:20 p.m.)*

Mr. Rustom made the report.

Public Comment: None

7. Public Comment *(5:25 p.m. - 5:29p.m.)*

There were no speakers.

8. Future Agenda Items *(6:20 p.m. - 6:23 p.m.)*

Members discussed possible outreach approaches to the press.

9. Adjournment

There being no further business, the Compliance and Amendments Committee adjourned at the hour of 6:23 p.m.

APPROVED: December 13, 2011

December 13, 2011

SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 406
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
December 13, 2011 – 4:00 PM

Regular Meeting

12-12-11A08:51 RCVD

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SAN FRANCISCO PUBLIC LIBRARY

Members: Allyson Washburn (Chair)
David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

2. **Adoption of October 11, 2011, regular meeting minutes** (Discussion and Action)
(attachment) (approximately 5 minutes)

3. **Adoption of November 8, 2011, regular meeting minutes** (Discussion and Action)
(attachment) (approximately 5 minutes)

4. **File No. 11047:** Continued hearing on the status of the September 27, 2011, Order of Determination of Dorian Maxwell v San Francisco Municipal Transportation Agency (Discussion and Action)
(attachment) (approximately 15 minutes)

5. **File No. 11056:** Hearing on the status of the October 25, 2011, Order of Determination of Allen Grossman v Dennis Herrera and Jack Song of the City Attorney's Office (Discussion and Action)
(attachment) (approximately 15 minutes)

6. **File No. 11058:** Hearing on the status of the November 29, 2011, Order of Determination of Nick Pasquariello v Film Commission (Discussion and Action)
(attachment) (approximately 15 minutes)

7. **File No. 11081:** Hearing on the status of the November 29, 2011, Order of Determination of Jason Grant Garza v Department of Public Health (Discussion and Action)
(attachment) (approximately 15 minutes)

8. **Next steps on Ethics Commission proposed policy for handling Sunshine-related complaints** (Discussion and Action)
(Attachment) (approximately 20 minutes)

9. **File No. 11021:** Hearing on the status of the May 24, 2011, Order of Determination of Debra Benedict v Tides Center (Discussion and Action)
(attachment) (approximately 15 minutes)

10. **Public Comment** Members of the public may address the Compliance and Amendments Committee on matters that are within Sunshine Ordinance Task Force's jurisdiction but not on today's agenda. (No Action)

11. **Administrator's Report** (Discussion and Action)
(Attachment) (approximately 5 minutes)

12. **Announcements, Comments, Questions, and Future Agenda Items** (No Action)

13. **ADJOURNMENT**

Agenda Item Information

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For information concerning Sunshine Ordinance Task Force please contact by e-mail sotf@sfgov.org or by calling (415) 554-7724.

Public Comment

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Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the hearing begins, written comments regarding the subject of the meeting or hearing;. These comments will be made a part of the official public record.

Hearing Procedures

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each

Above total speaking times for Complainant and City to be the same.

3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access

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Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

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Cell Phones, Pagers and Similar Sound-Producing Electronic Devices

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 581-3100; fax (415) 252-3112; web site www.sfgov.org/ethics.

City and County of San Francisco

Sunshine Ordinance Task Force - Compliance & Amendments Committee

December 13, 2011

SUNSHINE ORDINANCE TASK FORCE
Compliance & Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 406
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
December 13, 2011 – 4:00 PM
Regular Meeting
Members: Allyson Washburn (Chair)
David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

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SAN FRANCISCO PUBLIC LIBRARY

1. Call to Order and Roll Call *(4:01 p.m. - 4:02 p.m.)*

The meeting was called to order at 4:01 p.m. On the call of the roll, Member Wolfe was noted absent.

Member Knee, seconded by Member Johnson, motioned to excuse Member Wolfe.

Public Comment: None.

The motion passed without objection.

2. Adoption of October 11, 2011, regular meeting minutes *(4:02 p.m. - 4:25 p.m.)*

Member Knee, seconded by Member Johnson, motioned to approve the minutes of the October 11, 2011, regular meeting.

Public Comment: None.

The motion passed on the following vote:
Ayes: 4 – Snyder, Knee, Johnson, Washburn
Excused: 1 -- Wolfe

3. Adoption of November 8, 2011, regular meeting minutes *(4:12 p.m. - 4:18 p.m.)*

Member Knee, seconded by Member Johnson, motioned to approve the minutes of the November8, 2011, regular meeting.

Public Comment: None.

The motion passed on the following vote:
Ayes: 4 – Snyder, Knee, Johnson, Washburn
Excused: 1 – Wolfe

4. File No. 11047: Continued hearing on the status of the September 27, 2011, Order of Determination of Dorian Maxwell v San Francisco Municipal Transportation Agency *(4:19 p.m. -5:00 p.m.)*

Complainant Dorian Maxwell said the MTA has not given him documents about a trust fund. MTA employee Mike Benardo and Steve Zeltzer of the United Public Workers for Action spoke in support of Mr. Maxwell. SFMTA Employee and Labor Relations Manager Rumi Ueno said the documents in question were in the custody of the trust fund officers and that she had given Mr. Maxwell the contact information. A question and answer period followed.

No motion was made.

Public Comment: Jason Grant Garza said to say that the case could not be referred to the Civil Grand Jury is wrong. A former member of the Civil Grand Jury said the group selects its own topics for investigation.

The matter was considered concluded.

5. File No. 11056: Hearing on the status of the October 25, 2011, Order of Determination of Allen Grossman v Dennis Herrera and Jack Song of the City Attorney's Office *(5:00 p.m. - 6:10 p.m.)*

Complainant Allen Grossman said he has not received any information on how the City Attorney's Office calculates its budget allocations. CAO Public Information Officer Jack Song said no documents exist and that the budget was trimmed across the board as requested by the Mayor with a few hours added or deleted in accordance with a department's need.

Member Knee, seconded by Member Johnson, motioned to continue this item to January 10, 2012, regular meeting and to request that the City Attorney's Office send a person who can answer critical questions related to the complaint. Member Snyder was to draft the letter.

Public Comment: Jason Grant Garza said the motion is worthless because there is no consequence.

The motion passed on the following vote:
Ayes: 4 – Snyder, Knee, Johnson, Washburn
Excused: 1 – Wolfe

6. File No. 11058: Hearing on the status of the November 29, 2011, Order of Determination of Nick Pasquariello v Film Commission *(6:12 p.m. - 6:14 p.m.)*

The Complainant was not present. No one in the audience presented facts and evidence on behalf of the Complainant. The Respondent was not present. No one in the audience presented facts and evidence on behalf of the Respondent.

Member Knee, seconded by Member Johnson, motioned to continue this item to the January 10, 2012, regular meeting.

Public Comment: None.

The motion passed on the following vote:
Ayes: 4 – Snyder, Knee, Johnson, Washburn
Excused: 1 -- Wolfe

7. File No. 11081: Hearing on the status of the November 29, 2011, Order of Determination of Jason Grant Garza v Department of Public Health *(6:22 p.m. - 6:27 p.m.)*

Complainant Jason Grant Garza refused to present his case but kept demanding to know what the penalty for the respondent was for not being present.

Member Snyder was noted absent at 6:22 p.m.

Member Knee, seconded by Member Johnson, motioned to table the item and continue it to the January 10, 2012, regular meeting.

Public Comment: Allen Grossman urged the Task Force to stick to its rules because Mr. Garza would not be satisfied with whatever decision was made.

The motion passed on the following vote:
Ayes: 3 – Knee, Johnson, Washburn
Absent: 1 --Snyder
Excused: 1 -- Wolfe

8. Next steps on Ethics Commission proposed policy for handling Sunshine-related complaints *(6:33 p.m. - 6:54 p.m.)*

Members discussed Allen Grossman's analysis on the revised proposed regulations. Chair Washburn is to write to the Ethics Commission and request a joint meeting during the week of February 6. Members agreed.

9. File No. 11021: Hearing on the status of the May 24, 2011, Order of Determination of Debra Benedict v Tides Center *(6:27 p.m. - 6:33 p.m.)*

The Complainant was not present. No one in the audience presented facts and evidence on behalf of the Complainant. Olaitan Callender-Scott represented the Tides Center and said a dedicated telephone line would be available for interested members of the public to provide public comment if the board meeting was being held on the East Coast.

Public Comment: None.

The matter was considered concluded.

10. Public Comment *(6:10 p.m. - 6:12 p.m.)*

Jason Grant Garza said the City continues to deny him his right to due process.

11. Administrator's Report *(6:54 p.m. - 6:56 p.m.)*

Mr. Rustom made the report.

Public Comment: None.

12. Announcements, Comments, Questions, and Future Agenda Items *(6:57 p.m. - 7:00 p.m.)*

Member Knee said the Northern California Chapter of the Society of Professional Journalists is accepting nominations for its annual James Madison award. More information was available at www.spjnorcal.org.

13. ADJOURNMENT

There being no further business, the Compliance and Amendments Committee adjourned at the hour of 7:00 p.m.

January 10, 2012

SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 406
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

January 10, 2011 – 4:00 PM

01-09-12A08:36 RCVD

Regular Meeting

GOVERNMENT DOCUMENTS DEPT
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SAN FRANCISCO PUBLIC LIBRARY

Members: Allyson Washburn (Chair)
David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

1. CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES

2. Adoption of December 13, 2011, regular meeting minutes (Discussion and Action)
(attachment) (approximately 5 minutes)

3. File No. 11056: Continued hearing on the status of the October 25, 2011, Order of Determination of Allen Grossman v Dennis Herrera and Jack Song of the City Attorney's Office (Discussion and Action)
(attachment) (approximately 15 minutes)

4. File No. 11058: Continued hearing on the status of the November 29, 2011, Order of Determination of Nick Pasquariello v Film Commission (Discussion and Action)
(attachment) (approximately 15 minutes)

5. File No. 11081: Continued hearing on the status of the November 29, 2011, Order of Determination of Jason Grant Garza v Department of Public Health (Discussion and Action)
(attachment) (approximately 15 minutes)

6. Next steps on Ethics Commission proposed policy for handling Sunshine-related complaints (Discussion and Action)
(Attachment) (approximately 20 minutes)

7. Public Comment Members of the public may address the Compliance and Amendments Committee on matters that are within Sunshine Ordinance Task Force's jurisdiction but not on today's agenda. (No Action)

8. Administrator's Report (Discussion and Action)
(Attachment) (approximately 5 minutes)

9. Announcements, Comments, Questions, and Future Agenda Items (No Action)

10. ADJOURNMENT

Agenda Item Information

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Hearing Procedures

1. Complainant presents his/her facts and evidence 5 minutes
Other parties of Complainant present facts and evidence Up to 3 minutes each
2. City responds 5 minutes
Other parties of City respond Up to 3 minutes each
Above total speaking times for Complainant and City to be the same.
3. Matter is with the Task Force for discussion and questions.
4. Respondent and Complainant presents clarification/rebuttal 3 minutes
5. Matter is with the Task Force for motion and deliberation.
6. Public comment (Excluding Complainant & City response, witnesses) Up to 3 minutes each
7. Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)

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CITY & COUNTY OF SAN FRANCISCO

January 10, 2012 (draft)

SUNSHINE ORDINANCE TASK FORCE
Compliance & Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
DRAFT MINUTES

GOVERNMENT DOCUMENTS DEPT
MAY 25 2016
SAN FRANCISCO PUBLIC LIBRARY

Hearing Room 406
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
January 10, 2011 – 4:00 PM
Regular Meeting
Members: Allyson Washburn (Chair)
David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

1. **Call to Order, Roll Call and Agenda Changes** *(4:01 p.m. - 4:02 p.m.)*

The meeting was called to order at 4:04 p.m. On the call of the role, Member Snyder and Member Johnson were noted absent. Member Snyder was noted present at 4: 10 p.m.

Member Wolfe, seconded by Member Washburn, motioned to excuse Member Johnson.

Public Comment: None.

The motion carried by the following vote:
Ayes: 3 – Knee, Wolfe, Washburn
Absent: 1 – Snyder

2. **Adoption of December 13, 2011, regular meeting minutes.** *(4:02 p.m. - 4:05 p.m.)*

Members amended the minutes.

Member Knee, seconded by Member Wolfe, motioned to approve the minutes as amended.

Public Comment: Jason Grant Garza said he never received an answer to the question he asked during the December 13, 2011, Compliance and Amendments Committee meeting.

The motion carried by the following vote:
Ayes: 3 – Knee, Wolfe, Washburn
Excused: 1 – Johnson
Absent: 1 – Snyder

3. **File No. 11056:** Continued hearing on the status of the October 25, 2011, Order of Determination of Allen Grossman v Dennis Herrera and Jack Song of the City Attorney's Office. *(4:05 p.m. - 5:00 p.m.)*

Complainant Allen Grossman said he has identified three people who were involved in the budget process within the City Attorney's Office and has submitted a records request the each of them. Jack Song of the City Attorney's Office said he would present his case during rebuttal.

Rita O'Flynn said the Task Force should find a way to force the City Attorney to uphold the law.

Mr. Song answered questions from Members and was seen leaving the hearing room.

Member Knee, seconded by Member Wolfe, motioned to send the matter back to the Task Force with a recommendation for referral to the Ethics Commission with a request for enforcement of the Order of Determination and a violation of 67.21(e) for Mr Song's absence during the latter part of the committee's deliberation.

Public Comment: Jason Grant Garza said Mr. Grossman will never be satisfied because he will not get what he wants even if the matter is referred to the Ethics Commission. Tomas Picarello said City Attorney Dennis Herrera or his representative should be found in willful violation for not sending a knowledgeable representative. Kimo Crossman said he sees no proof that the City Attorney's Office is withholding records. Douglas Yap said the system will eventually work because of the dedication expressed by many people. He said nearly everyone at City Hall participates in obstruction of justice, dereliction of duty and abuse of power.

The motion carried by the following vote:
Ayes: 4 – Snyder, Knee, Wolfe, Washburn
Excused: 1 – Johnson

4. **File No. 11058:** Continued hearing on the status of the November 29, 2011, Order of Determination of Nick Pasquariello v Film Commission. *(5:11 p.m. - 5:33 p.m.)*

Complainant Nick Pasquariello said his complaint was against Susannah Greason Robbins, the executive director of the Film Commission. He requested a continuance because he recently received a set of documents and needed more time to compare it with other documents in his possession. The respondent was not present. No one in the audience offered facts and evidence on behalf of the respondent.

Member Snyder, seconded by Member Knee, motioned to continue the item.

Public Comment: Tomas Picarello said the reason the respondent was not in the audience was because the Order of Determination was against a nonentity and not a person. Allen Grossman said the Ethics Commission has shown that they will not handle Sunshine referrals unless a City official or a department head is named. Rita O'Flynn said the Commission, in dismissing her referral, did mention that the Order of Determination did not mention the name or names who violated the Ordinance. Jason Grant Garza said Mr. Pasquariello should know that the Task Force's motion is not going to help him as long as the Ethics Commission dismisses Sunshine referrals.

The motion carried by the following vote:
Ayes: 4 – Snyder, Knee, Wolfe, Washburn
Excused: 1 – Johnson

A 5-minute recess was called.

5. **File No. 11081:** Continued hearing on the status of the November 29, 2011, Order of Determination of Jason Grant Garza v Department of Public Health. *(5:47 p.m. - 6:28 p.m.)*

Complainant Jason Grant Garza said he has not received the documents he requested. Eileen Shields, public information officer for the Department of Public Health, said she would stipulate to the written response dated November 9, 2011.

Member Knee, seconded by Member Wolfe, motioned to continue the matter to the next meeting to allow members to hear from HIPAA experts.

Public Comment: Allen Grossman said the Task Force needs to decide on rules based on the Public Records Act and the Sunshine Ordinance and that he sees no reason for the department to deny Mr. Garza his own medical records. Rita O'Flynn said denying Mr. Garza his public records places him at risk because if he has a medical emergency and is treated at a facility that does not have his records the quality of care he receives will be lower. Tomas Picarello said the burden was on the respondent and the assistance from the experts was unnecessary. Charles Pitts said it is a violation when the department ignores Mr. Garza's request and provide him with a non-responsive document.

The motion carried by the following vote:
Ayes: 3 – Knee, Wolfe, Washburn
Absent: 1 – Snyder
Excused: 1 – Johnson

6. **Next steps on Ethics Commission proposed policy for handling Sunshine-related complaints.** *(6:28 p.m. - 6:49 p.m.)*

Chair Washburn said the Committee has yet to hear from the Commission following her request for a joint meeting and she was planning a follow up letter.

Allen Grossman said Member Snyder, who is an attorney, and DCA Jerry Threet need to step forward and participate in this process. He said he has put together a packet which he will forward to Chair Washburn at a later date and was available to answer any question the Committee may have. Rita O'Flynn suggested putting a response date in the Committee's next letter to the Commission. She also said it was unacceptable for the Commission to dismiss the referrals made by Task Force. She said she was taking her case through the judicial process and that it would have been easier if the Task Force had the authority to go with its responsibilities. Tomas Picarello said the Committee could hold informal sessions with the Commission and issues to discuss at the joint meeting could arise out of the Commission's January 23, 2012, meeting. Charles Pitts said more than one meeting is needed and perhaps a sub-committee could hash out the issues.

7. **Public Comment:** *(5:01 p.m. - 5:11 p.m.)*

Rita Flynn thanked the Task Force for their work in her case against the Mayor's Office of Housing. She also said the City sued her husband

and offered to settle if she gave up her rights to make any claim against the City. Allen Grossman said the Task Force is not getting the support it needs from the City Attorney's Office and the Clerk of the Board. Jason Grant Garza said the Task Force should disband because it is not helping complainants get the records they want. Douglas Yap said he feels that he needs to expose the injustice around City Hall and that change will come even if her had to wait another five years..

8. **Administrator's Report.** *(6:49 p.m.)*

Public Comment: None

9. **Announcements, Comments, Questions, and Future Agenda Items** *(6:49 p.m. - 6:50 p.m.)*

Member Wolfe says the amendments process has to be restarted. Chair Said amendments back on the next month's agenda.

10. **ADJOURNMENT**

There being no further business, the Compliance and Amendments Committee adjourned at the hour of 6.51 p.m.

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POST - SOTF Compliance and Amendments Committee

sotf@sfgov.org [sotf@sfgov.org]

Sent: Monday, February 13, 2012 2:52 PM
To: bos-it@sfgov.org; SF Docs; amwashburn@comcast.net;
Cc: Hope Johnson [hopeannette@earthlink.net]

NOTICE IS HEREBY GIVEN that the meeting of the Compliance and Amendments Committee scheduled for Tuesday, February 14, 2012, at 4:00 p.m., at 1 Dr. Carlton B. Goodlett Place, Room 408, City Hall, San Francisco, California, has been **cancelled**.

BOS-IT/Main Library - Please Post

Andrea S. Ausberry
Administrator
Sunshine Ordinance Task Force
Office 415.554.7724 | Fax 415.554.5163
sotf@sfgov.org | www.sfbos.org
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SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

GOVERNMENT DOCUMENTS DEPT

FEB 17 2012

SAN FRANCISCO PUBLIC LIBRARY

February 21, 2012 – 4:00 PM

Special Meeting

Members: Allyson Washburn (Chair)
David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

2. **Adoption of January 10, 2012, regular meeting minutes** (Discussion and Action)
(attachment) (approximately 5 minutes)

3. **Discussion on changing the time the Compliance and Amendments Committee meets from 4 p.m. to 5:30 p.m.** (Discussion and Action)
(approximately 5 minutes)

4. **File No. 11081:** Continued hearing on the status of the November 29, 2011, Order of Determination of Jason Grant Garza v Department of Public Health (Discussion and Action)

   The Chair may entertain a motion to continue this Case to the Call of the Chair, pending confirmation of a HIPAA expert presentation

   (attachment) (approximately 15 minutes)

5. **Next steps on Ethics Commission proposed policy for handling Sunshine-related complaints** (Discussion and Action)
(attachment) (approximately 15 minutes)

6. **Continued discussion on the proposed amendments to the Sunshine Ordinance.** (Discussion and Action)
(approximately 30 minutes)

7. **Public Comment** Members of the public may address the Compliance and Amendments Committee on matters that are within Sunshine Ordinance Task Force's jurisdiction but not on today's agenda. (No Action)

8. **Administrator's Report** (Discussion and Action)
(*Attachment) (approximately 5 minutes)*

9. **Announcements, Comments, Questions, and Future Agenda Items** (No Action)

10. **ADJOURNMENT**

Agenda Item Information

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For information concerning Sunshine Ordinance Task Force please contact by e-mail sotf@sfgov.org or by calling (415) 554-7724.

Public Comment

Public Comment will be taken before or during the Committee's consideration of each agenda item. Speakers may address the Task Force for up to three minutes on that item. During General Public Comment, members of the public may address the Task Force on matters that are within the Task Force's jurisdiction and are not on the agenda. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the official file.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the hearing begins, written comments regarding the subject of the meeting or hearing;. These comments will be made a part of the official public record.

Hearing Procedures

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking times for Complainant and City to be the same.	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access

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Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information about MUNI accessible services, call (415) 701-4485. There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

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Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail: Sunshine Ordinance Task Force, 1 Dr. Carlton b. Goodlett Place, Room 244, San Francisco, CA 94102; phone at (415) 554-7724; fax at (415) 554-7854; or by email at sotf@sfgov.org.

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Cell Phones, Pagers and Similar Sound-Producing Electronic Devices

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Lobbyist Registration and Reporting Requirements

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CITY & COUNTY OF SAN FRANCISCO

February 21, 2012 (draft)

SUNSHINE ORDINANCE TASK FORCE
COMPLIANCE AND AMENDMENTS
CITY AND COUNTY OF SAN FRANCISCO
DRAFT MINUTES

GOVERNMENT DOCUMENTS DEPT
MAY 25 2016
SAN FRANCISCO PUBLIC LIBRARY

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

February 21, 2012 – 4:00 PM
Special Meeting

Members: Allyson Washburn (Chair), David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

1. Call to Order, Roll Call, and Agenda Changes. (00:05 - 11:11)

The meeting was called to order at 4:03 p.m. Members Snyder and Wolfe were noted absent. There was a quorum.

Member Knee, seconded by Member Johnson, moved to EXCUSE Members Snyder and Wolfe.

Speakers: Jason Grant Garza, spoke expressing concern regarding disclosure of his medical records and a HIPAA expert representation. Susannah Greason Robbins, Executive Director (Film Commission), spoke expressing concern regarding the multiple continuances of the hearing No.11058 and that the Film Commission provided the documents requested by the Complainant.

The motion PASSED without objection.

2. Adoption of January 10, 2012, Regular Meeting Minutes. (11:12 - 17:20)

Member Knee, seconded by Member Johnson, moved to AMEND the January 10, 2012 Minutes.

Speakers: David Pilpel expressed concerns regarding having a copy of the packet for the public and that the Administrator should be provided a copy of amendments to the minutes. Allen Grossman suggested the Administrator document the time parties of hearings leave and include that information in the minutes.

The motion PASSED by the following vote.
Ayes: 3 – Knee, Johnson, Washburn
Excused: 2 – Snyder, Wolfe
Absent: 0

3. Discussion on changing the time the Compliance and Amendment Committee meets from 4:00p.m. to 5:30 p.m. (17:21 - 28:33)

Member Knee suggested postponing a decision on changing the time the Committee meets until Members Snyder and Wolfe can provide their thoughts and that changing the time to 5:30 p.m. may give the public the opportunity to attend both the Board and Compliance and Amendment Committee meetings

Member Johnson expressed concern that changing the Committee time to meet later in the day may compromise the ability of the Administrator to clerk the meetings.

Member Knee, seconded by Member Johnson, moved to CONTINUE discussion to allow time to check availability of Hearing Rooms 406 and 408 for the third Tuesday of the month.

Speakers: David Pilpel, expressed favor in the Committee convening at 4:00 p.m. Jason Grant Garza, expressed various concerns regarding committee scheduling.

The motion PASSED by the following vote.
Ayes: 3 – Knee, Johnson, Washburn
Excused: 2 – Snyder, Wolfe
Absent: 0

4. File No. 11081: Continued hearing on the status of the November 29, 2011, Order of Determination of Jason Grant Garza v Department of public Health. (28:34. - 34:50)

Chair Washburn provided an overview of the proposed continuance of File No. 11081, to have a HIPAA expert present before the Committee for clarification of the item. Members commented on the matter.

Member Johnson, seconded by Member Knee, moved to CONTINUE TO THE CALL OF THE CHAIR until a HIPAA expert is scheduled.

Speakers: Jason Grant Garza, expressed various concerns regarding the absence of a HIPAA expert.

The motion PASSED by the following vote.
Ayes: 3 – Knee, Johnson, Washburn
Excused: 2 – Snyder, Wolfe
Absent: 0

5. Next steps on Ethics Commission proposed policy for handling Sunshine related complaints (34:51 - 1:15)

Chair Washburn provided an overview of the proposed policy for handling Sunshine related complaints.

The Ethics Commission is available to meet for a joint meeting with Compliance and Amendments Committee on March 23, 2012, and Allen Grossman has provided a revised regulation draft. Member Johnson indicated that due to budget restraints, the Sunshine Ordinance Task Force's Attorney will not be available. Member Knee indicated that he would research the availability of non-City attorneys with Sunshine law expertise.

Speakers: Allen Grossman, suggested attorneys with expertise in Sunshine law; David Pilpel, suggested the Committee ask the City Attorney for representation from other municipal law offices; responded to questions raised by the Members.

Chair Washburn recommended checking Hearing Room availability for a Special Meeting on March 12, 2012, prior to the anticipated joint meeting on March 23, 2012, with the Ethics Commission.

6. Continue discussion on proposed amendments to the Sunshine Ordinance. (1:15 - 1:33)

Member Knee requested finding four supervisors to sign off on amendments and gave a summary of proposed amendment process of 1999. Member Knee volunteered to speak with Supervisors Avalos and Campos for support on the proposed amendments. Member Johnson suggested this matter be CONTINUED to March 20, 2012.

The Administrator will research previous amendments to the Sunshine Ordinance.
There were no speakers.
The motion PASSED without objection.

7. Public Comment (1:34)

There were no speakers.

8. Administrator's Report (1:35 - 1:38)

Members reviewed the report and commented on the matter. A question and answer period followed.

There were no speakers.

9. Announcements, Comments, Questions, and Future Agenda Items. (1:38 - 1:40)

Member Knee announced that the Society of Professional Journalists, Northern California, will hold its annual James Madison Awards Dinner on March 15, 2012, at the City Club of San Francisco.

10. Adjournment

Member Knee, seconded by Member Johnson, moved to ADJOURN.
There were no speakers. The motion PASSED without objection.
There being no further business, the Compliance and Amendment Committee adjourned at the hour of 5:43 p.m.

SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

GOVERNMENT DOCUMENTS DEPT
MAR 16 2012
SAN FRANCISCO PUBLIC LIBRARY

Hearing Room 406
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

March 20, 2012 – 4:30 PM

Rescheduled Meeting

NOTICE IS HEREBY GIVEN *that the regularly scheduled meeting of the Sunshine Ordinance Task Force on Tuesday, March 20, 2012, at 4:00 p.m., has been* ***RESCHEDULED*** *to Tuesday, March 20, 2012, at 4:30 p.m.*

Members: Allyson Washburn (Chair), David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

2. **Adoption of February 21, 2012, special meeting minutes** (Discussion and Action)
(attachment) (approximately 5 minutes)

3. **Discussion on changing the time the Compliance and Amendments Committee meets from 4:00 p.m. to 5:30 p.m.** (Discussion and Action)
(approximately 15 minutes)

4. **File No. 11083:** Hearing on complaint filed by Ray Hartz, Jr. against the Public Library for allegedly violating Ordinance Sections 67.21(c), (d) and (e). (Discussion and Action)
(attachment) (approximately 15 minutes)

5. **File No. 11087:** Hearing on complaint filed by Lars Nyman against Frank Lee, Department of Public Works for allegedly violating the public information and public records provision on the Sunshine Ordinance. (Discussion and Action)
(attachment) (approximately 15 minutes)

6. **Next steps on Ethics Commission's proposed policy for handling Sunshine-related complaints** (Discussion and Action)
(attachment) (approximately 30 minutes)

7. **Continued discussion on the proposed amendments to the Sunshine Ordinance.** (Discussion and Action)
(approximately 30 minutes)

8. **Public Comment** Members of the public may address the Compliance and Amendments Committee on matters that are within Sunshine Ordinance Task Force's jurisdiction but not on today's agenda. (No Action)

9. **Administrator's Report** (Discussion and Action)
(approximately 5 minutes)

10. **Announcements, Comments, Questions, and Future Agenda Items** (No Action)

11. **ADJOURNMENT**

Agenda Item Information

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2.	City responds	5 minutes
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3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

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CITY & COUNTY OF SAN FRANCISCO

March 20, 2012 (draft)

SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
DRAFT MINUTES

GOVERNMENT DOCUMENTS DEPT
MAY 25 2016
SAN FRANCISCO PUBLIC LIBRARY

Hearing Room 406
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

March 20, 2012 – 4:30 PM

Rescheduled Meeting

Members: Allyson Washburn (Chair),
David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

1. CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES (00:11 - 8:46)

The meeting was called to order at 4:36 p.m. Members Snyder and Wolfe were noted absent.

Member Knee, seconded by Member Johnson, moved to EXCUSE Members Snyder and Wolfe.

Speakers: Jason Garza spoke expressing opposition to the motion to excuse Member Snyder. Allen Grossman spoke expressing opposition to the motion to excuse Member Snyder.

The motion PASSED by the following vote.
Ayes: 3 – Knee, Johnson, Washburn
Excused: 2 – Snyder, Wolfe
Absent: 0

David Pilpel requested to defer item number three.

Speakers: Thomas Picarello, spoke expressing opposition to deferring item number three. Ray Hartz, spoke expressing opposition to deferring item number three. Jason Garza, spoke expressing opposition to deferring item number three.

The motion PASSED without objection.

2. Adoption of February 21, 2012, special meeting minutes (8:47 - 17:00)

Member Knee, seconded by Member Johnson, moved to CONTINUE the February 21, 2012 Minutes.

Speakers: Jason Garza, spoke expressing concern regarding amendment of minutes referencing him. Thomas Picarello, spoke advising the committee to make amendments to the minutes prior to the committee convening. Allen Grossman, spoke advising the Administrator to use other commissions' and boards' minutes as a guide.

The motion PASSED by the following vote.

Ayes: 3 – Knee, Johnson, Washburn
Excused: 2 – Snyder, Wolfe
Absent: 0

3. Discussion on changing the time the Compliance and Amendments Committee meets from 4:00 p.m. to 5:30 p.m. (1:23 - 1:36)

The Administrator confirmed that the Committee has Hearing Room 408 reserved for the year 2012, from 4:00 p.m. to 8:00 p.m.

Speakers: Thomas Picarello, spoke expressing opposition with the Committee meeting at 4:00 p.m. Ray Hartz, spoke expressing opposition with the Committee meeting at 4:00 p.m. Allen Grossman, spoke expressing concern with the Committee convening at 5:00 p.m., due to the length of time the Committee takes to hear items. David Pilpel, spoke favor of the Committee convening at 4:00 p.m.

4. File No. 11083: Hearing on complaint filed by Ray Hartz, Jr. against the Public Library for allegedly violating Ordinance Sections 67.21(c), (d) and (e). (17:01 - 1:05)

Ray Hartz (Complainant) provided an update of the complaint and responded to questions raised throughout the discussion. There were no speakers in support of the Complainant. Sue Blackman (Respondent) provided an update and responded to questions raised throughout the discussion. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal. Complainant provided a rebuttal.

Member Knee, seconded by Member Johnson, moved to refer the matter back to the full Task Force with a recommendation that it be forwarded to the Ethics Commission.

The motion PASSED by the following vote.
Ayes: 3 – Knee, Johnson, Washburn
Excused: 2 – Snyder, Wolfe
Absent: 0

Speakers: Thomas Picarello, spoke expressing concern about the finality of the Order of Determination. Jason Garza, spoke expressing concern about deferring of hearings. Allen Grossman, spoke expressing concern about the requested respondent not being present. David Pilpel, spoke advising that the library treat the case as a 67.21 (c).

The motion PASSED by the following vote.
Ayes: 3 – Knee, Johnson, Washburn
Excused: 2 – Snyder, Wolfe
Absent: 0

5. File No. 11087: Hearing on complaint filed by Lars Nyman against Frank Lee, Department of Public Works for allegedly violating the public information and public records provision on the Sunshine Ordinance. (1:36 - 2:24)

Lars Nyman (Complainant) provided an update of the complaint and responded to questions raised throughout the discussion. There were no speakers in support of the Complainant. Frank Lee (Respondent) provided an update and responded to questions raised throughout the discussion. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal. Complainant provided a rebuttal.

Member Knee, seconded by Member Johnson, moved to refer the matter back to the full Task Force on the basis that he Order of Determination was not met and with a recommendation for referral to the District Attorney or the Board of Supervisors.

The motion PASSED by the following vote.
Ayes: 3 – Knee, Johnson, Washburn
Excused: 2 – Snyder, Wolfe
Absent: 0

Speakers: David Pilpel, spoke in favor of the Respondent attempting to meet requirements. Thomas Picarello, spoke expressing support for the motion made by the Committee. Allen Grossman, spoke expressing support for the motion. Ray Hartz, spoke expressing concern about whether the Department of Public Works issue was one of procedure or process.

The motion PASSED by the following vote.
Ayes: 3 – Knee, Johnson, Washburn
Excused: 2 – Snyder, Wolfe
Absent: 0

6. Next steps on Ethics Commission's proposed policy for handling Sunshine-related complaints. (2:24- 2:37)

April 13, 2012, has been confirmed for the joint meeting with the Ethics Commission.

Speakers: Thomas Picarello, spoke expressing concern about the composition of the joint meeting. Allen Grossman, gave an update on memo to Ethics Commission. Ray Hartz, spoke expressing concern with lack of good faith of the Ethics Commission.

7. Continued discussion on the proposed amendments to the Sunshine Ordinance. (2:37 - 2:46)

Member Knee presented on the timeline for submitting the proposed amendments for the November ballot and acquiring a meeting with

Supervisor Campos to determine political climate.

Member Johnson, seconded by Member Knee, moved to CONTINUE to April 17, 2012.

Speakers: Ray Hartz, spoke expressing concern about the Ethics Commission not including summaries in the minutes. Thomas Picarello, spoke expressing concern that the amendments should include enforcement powers by the Sunshine Ordinance Task Force.

The motion PASSED by the following vote.
Ayes: 3 – Knee, Johnson, Washburn
Excused: 2 – Snyder, Wolfe
Absent: 0

8. Public Comment Members of the public may address the Compliance and Amendments Committee on matters that are within Sunshine Ordinance Task Force's jurisdiction but not on today's agenda. (1:08 - 1:23)

Speakers: Jason Garza, spoke expressing concern with his open complaints and order claims are heard. Ray Hartz, spoke expressing concern regarding a Library Commission recording in which a Commissioner allegedly threatens Mr. Hartz. Thomas Picarello, spoke expressing setting a time public comment will be heard. David Pilpel, spoke suggesting that the by-laws are made available in the binder.

Chair Washburn motioned to have language added to the Public Comment section to read that public comment will be heard at 5:00 pm. Member Knee, suggested the language state that public comment will be heard an hour after the meeting convenes.

9. Administrator's Report (2:46 - 2:20)

The Administrator presented the report.

Speaker: Thomas Picarello, spoke suggesting the report include more than data, but also recommendations on incoming complaint cases.

10. Announcements, Comments, Questions, and Future Agenda Items (2:50 - 2:54)

Member Knee, announced support of Assembly Bill 1648 which is before the California Legislature. Chair Washburn and Member Johnson met with the Mayor of Alameda regarding the initiation of Alameda's Sunshine Ordinance.

11. ADJOURNMENT

Member Knee, seconded by Johnson, moved to ADJOURN.

There were no speakers. The motion PASSED without objection.

There being no further business, the Compliance and Amendments Committee adjourned at the hour of 7:38 p.m.

Agenda Item Information

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Hearing Procedures

1. Complainant presents his/her facts and evidence 5 minutes
Other parties of Complainant present facts and evidence Up to 3 minutes each
2. City responds 5 minutes
Other parties of City respond Up to 3 minutes each
Above total speaking times for Complainant and City to be the same.
3. Matter is with the Task Force for discussion and questions.
4. Respondent and Complainant presents clarification/rebuttal 3 minutes

5. Matter is with the Task Force for motion and deliberation.
6. Public comment (Excluding Complainant & City response, witnesses) Up to 3 minutes each
7. Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

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CITY & COUNTY OF SAN FRANCISCO

March 29, 2012

SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

March 29, 2012 – 4:30 PM

Special Meeting

GOVERNMENT DOCUMENTS DEPT
MAY 25 2016
SAN FRANCISCO PUBLIC LIBRARY

Members: Allyson Washburn (Chair), David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

1. CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES

2. Next steps on Ethics Commission's proposed policy for handling Sunshine-related complaints (Discussion and Action) (attachment) (approximately 30 minutes)

3. Public Comment Members of the public may address the Compliance and Amendments Committee on matters that are within Sunshine Ordinance Task Force's jurisdiction but not on today's agenda. (No Action). Public Comment shall be taken one hour after meeting convenes.

4. Announcements, Comments, Questions, and Future Agenda Items (No Action)

5. ADJOURNMENT

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3. Matter is with the Task Force for discussion and questions.
4. Respondent and Complainant presents clarification/rebuttal 3 minutes
5. Matter is with the Task Force for motion and deliberation.
6. Public comment (Excluding Complainant & City response, witnesses) Up to 3 minutes each
7. Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)

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CITY & COUNTY OF SAN FRANCISCO

March 29, 2012 (draft)

SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
DRAFT MINUTES

Hearing Room 406
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

March 29, 2012 – 4:30 PM

Special Meeting

Members: Allyson Washburn (Chair),
David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

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1. CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES (00:00 - 2:18)

The meeting was called to order at 4:37p.m. Members Snyder and Wolfe were noted absent. There was a quorum.

Member Knee, seconded by Member Johnson, moved to EXCUSE Member Wolfe.

Speakers: Jason Grant Garza spoke expressing opposition to the motion to excuse Member Wolfe. Thomas Picarello spoke expressing holding members accountable to the Sunshine Ordinance Task Force's By-laws absentee policy.

The motion PASSED by the following vote.
Ayes: 3 - Knee, Johnson, Washburn
Excused: 1 - Wolfe
Absent: 1- Snyder

2. Next steps on Ethics Commission's proposed policy for handling Sunshine-related complaints. (2:19 - 1:35:10)

Chair Washburn introduced Allen Grossman to present an overview of the Ethics Commission's Enforcement Jurisdiction as proposed in its staff's draft "Regulations for Complaints Alleging Willful Violations of the Sunshine Ordinance." The rationale for the staff's interpretation that the Ethics Commission only has jurisdiction under 67.34 in its closed reading of Sections 67.21 (d) and (e), in Article III, potential violations of provisions in Articles II and III, and Sections 67.30 (c), 67.35 Enforcement Provisions and 67.34 of Article IV Policy Implementation were discussed. A question and answer period followed.

Chair Washburn opened discussion on joint meeting agenda items. The following items were discussed as potential agenda items: 1) Discussion of present Ethics Commission's Regulations with respect to violations of public access laws. 2) Discussion of the Ethics Commission staff's reversal of the Commission's June 2010, public meeting policy decisions regarding the Commission's Sunshine Regulations in the new proposed regulations. 3) Discussion of the issues raised in the Sunshine Ordinance Task Force's (SOTF) April 3, 2012, Memorandum to the Commissioners on the Ethics Commission's proposed enforcement jurisdiction over violations of the California and San Francisco public access laws.

The Compliance and Amendments Committee will forward to the Ethics Commission the following documents: 1) June 14, 2010, Ethics

Commission Regular Meeting Minutes 2) Memo to Ethics Commission regarding The Ethics Commission's "Enforcement" Jurisdiction. 3) Proposed agenda items for joint meeting.

Speakers: Thomas Picarello spoke expressing concern regarding a non-member sitting in and presenting at the joint meeting and suggested the full Task Force weigh in on the item. Jason Grant Garza spoke expressing concern that the Ethics Commission will not solve the concerns and questions of the Compliance and Amendments Committee.

3. Public Comment: (1:35:11 - 1:48:19)

Speakers: Jason Grant Garza spoke expressing concern with his open complaints and order in which complaints are scheduled. Allen Grossman spoke expressing concern regarding three of the five members regularly attending the Committee's meeting and suggested appointing Members in place of absent Members.

4. Announcements, Comments, Questions, and Future Agenda Items (1:48:20 - 1:48:23)

There was none.

5. ADJOURNMENT

Member Knee, seconded by Member Johnson, moved to ADJOURN.

There were no speakers. The motion PASSED without objection.

There being no further business, the Compliance and Amendments Committee adjourned at the hour of 6:22 p.m.

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SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
Joint Meeting with
San Francisco Ethics Commission
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

April 13, 2012 – 2:00 P.M.

Special Meeting

Members: Allyson Washburn (Chair), David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson. **Commissioners:** Beverly Hayon, Benedict Hur, Dorothy Liu, Paul Renne, Jamienne Studley

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

2. **Discussion of draft amendments to the Commission's regulations governing the handling of complaints related to alleged violations of the Sunshine Ordinance and referrals from the Sunshine Ordinance Task Force (SOTF). Commission staff prepared an earlier version of the draft amendments, which were forwarded to the SOTF for review and comments on August 17, 2010. On August 1, 2011, the SOTF provided comments, along with alternate proposals. At its meeting on November 14, 2011, the Commission began consideration of a revised set of proposals from staff. At the April 13, 2012 joint meeting, members of the Commission and the SOTF will discuss the revised proposals. The proposed amendments, along with documents submitted by Commission staff and the Compliance & Amendments Committee, will be available in the Commission and SOTF Office's and on their websites. There will be an opportunity for public comment.** (Discussion)

3. **ADJOURNMENT**

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3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
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SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

April 17, 2012 – 4:00 P.M.

Regular Meeting

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APR 13 2012
SAN FRANCISCO PUBLIC LIBRARY

Members: Allyson Washburn (Chair), David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

2. **Adoption of February 21, 2012, special meeting minutes** (Discussion and Action) *(attachment) (approximately 5 minutes)*

3. **Adoption of March 20, 2012, regular meeting minutes.** (Discussion and Action) *(approximately 5 minutes)*

4. **Adoption of March 29, 2012, special meeting minutes**. (Discussion and Action) *(attachment) (approximately 5 minutes)*

5. **File No. 11098:** Hearing on complaint filed by Ray Hartz, Jr. against Luis Herrera, City Librarian for allegedly not including a brief written summary of comments into the minutes. (Discussion and Action) *(attachment) (approximately 15 minutes)*

6. **File No. 12001:** Hearing on complaint filed by the Library Users Association against the Arts Commission for allegedly redacting requested speaker cards information. (Discussion and Action) *(attachment) (approximately 15 minutes)*

7. **Public Comment** Members of the public may address the Compliance and Amendments Committee on matters that are within Sunshine Ordinance Task Force's jurisdiction but not on today's agenda. (No Action). **Public Comment shall be taken one hour after meeting convenes.**

8. **Administrator's Report** (Discussion and Action) *(approximately 5 minutes)*

9. **Announcements, Comments, Questions, and Future Agenda Items** (No Action)

10. **ADJOURNMENT**

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1.	Complainant presents his/her facts and evidence	5 minutes
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3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

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CITY & COUNTY OF SAN FRANCISCO

April 17, 2012 (draft)

SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
DRAFT MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

GOVERNMENT DOCUMENTS DEPT
MAY 25 2016
SAN FRANCISCO PUBLIC LIBRARY

April 17, 2012 – 4:00 P.M.

Regular Meeting

Meeting Canceled

Members: Allyson Washburn (Chair),
David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

1. CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES

The meeting was called to order at 4:17 p.m. Members Snyder, Wolfe and Johnson were noted absent.

There being no quorum, the Compliance and Amendments Committee was canceled.

2. Adoption of February 21, 2012, special meeting minutes.

NO ACTION TAKEN. LACK OF QUORUM.

3. Adoption of March 20, 2012, regular meeting minutes.

NO ACTION TAKEN. LACK OF QUORUM.

4. Adoption of March 29, 2012, special meeting minutes.

NO ACTION TAKEN. LACK OF QUORUM.

5. File No. 11098: Hearing on complaint filed by Ray Hartz, Jr. against Luis Herrera, City Librarian for allegedly not including a brief written summary of comments into the minutes.

NO ACTION TAKEN. LACK OF QUORUM.

6. File No. 12001: Hearing on complaint filed by the Library Users Association against the Arts Commission for allegedly redacting requested speaker cards information.

NO ACTION TAKEN. LACK OF QUORUM.

7. Public Comment Members of the public may address the Compliance and Amendments Committee on matters that are within Sunshine Ordinance Task Force's jurisdiction but not on today's agenda.

There were no speakers.

8. Administrator's Report

NO ACTION TAKEN. LACK OF QUORUM.

9. Announcements, Comments, Questions, and Future Agenda Items

There were none.

10. ADJOURNMENT

There being no quorum, the Compliance and Amendments Committee adjourned at the hour of 4:18 p.m.

SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

May 15, 2012 – 4:00 P.M.

Regular Meeting

GOVERNMENT DOCUMENTS DEPT
MAY - 9 2012
SAN FRANCISCO PUBLIC LIBRARY

Members: Allyson Washburn (Chair), David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

2. **Adoption of February 21, 2012, special meeting minutes** (Discussion and Action) *(attachment) (approximately 5 minutes)*

3. **Adoption of March 20, 2012, regular meeting minutes.** (Discussion and Action) *(attachment) (approximately 5 minutes)*

4. **Adoption of March 29, 2012, special meeting minutes**. (Discussion and Action) *(attachment) (approximately 5 minutes)*

5. **Adoption of April 17, 2012, regular meeting minutes.** (Discussion and Action) *(attachment) (approximately 5 minutes)*

6. Proposed Sunshine Ordinance amendment regarding electronic document backup, storage and retrieval. (Discussion and Action) *(approximately 30 minutes)*

7. **File No. 11058:** Continued hearing on the status of the November 29, 2011, Order of Determination of Nick Pasquariello v Film Commission. (Discussion and Action) *(attachment) (approximately 15 minutes)*

8. **File No. 11098:** Hearing on complaint filed by Ray Hartz, Jr. against Luis Herrera, City Librarian for allegedly not including a brief written summary of comments into the minutes. (Discussion and Action) *(attachment) (approximately 15 minutes)*

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10. **Public Comment** Members of the public may address the Compliance and Amendments Committee on matters that are within Sunshine Ordinance Task Force's jurisdiction but not on today's agenda. (No Action). **Public Comment shall be taken one hour after meeting convenes.**

11. **Administrator's Report** (Discussion and Action*) (approximately 5 minutes)*

12. **Announcements, Comments, Questions, and Future Agenda Items** (No Action)

13. **ADJOURNMENT**

Agenda Item Information

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7. Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)

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REVISED AGENDA*

SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

GOVERNMENT DOCUMENTS DEPT
MAY 14 2012
SAN FRANCISCO PUBLIC LIBRARY

May 15, 2012 – 4:00 P.M.

Regular Meeting

Members: Allyson Washburn (Chair), David Snyder, Richard Knee, Bruce Wolfe, Hope Johnson

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

2. **Adoption of February 21, 2012, special meeting minutes** (Discussion and Action) *(attachment) (approximately 5 minutes)*

3. **Adoption of March 20, 2012, regular meeting minutes.** (Discussion and Action) *(attachment) (approximately 5 minutes)*

4. **Adoption of March 29, 2012, special meeting minutes**. (Discussion and Action) *(attachment) (approximately 5 minutes)*

5. **Adoption of April 17, 2012, regular meeting minutes.** (Discussion and Action) *(attachment) (approximately 5 minutes)*

6. Proposed Sunshine Ordinance amendment regarding electronic document backup, storage and retrieval. (Discussion and Action) *(approximately 30 minutes)*

7. **File No. 11058:** Continued hearing on the status of the November 29, 2011, Order of Determination of Nick Pasquariello v Film Commission. (Discussion and Action) *(attachment) (approximately 15 minutes)*

8. ***File No. 11081:** Continued hearing on the matter of scheduling a HIPPA expert to discuss a matter related to Jason Grant Garza v Department of Public Health. (Discussion and Action) *(attachment) (approximately 15 minutes)*

9. **File No. 11098:** Hearing on complaint filed by Ray Hartz, Jr. against Luis Herrera, City Librarian for allegedly not including a brief written summary of comments into the minutes. (Discussion and Action) *(attachment) (approximately 15 minutes)*

10. **File No. 12001:** Hearing on complaint filed by the Library Users Association against the Arts Commission for allegedly redacting requested speaker cards information. (Discussion and Action) *(attachment) (approximately 15 minutes)*

11. **Public Comment** Members of the public may address the Compliance and Amendments Committee on matters that are within Sunshine Ordinance Task Force's jurisdiction but not on today's agenda. (No Action). **Public Comment shall be taken one hour after meeting convenes.**

12. **Administrator's Report** (Discussion and Action*) (approximately 5 minutes)*

13. **Announcements, Comments, Questions, and Future Agenda Items** (No Action)

14. **ADJOURNMENT**

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3. Matter is with the Task Force for discussion and questions.
4. Respondent and Complainant presents clarification/rebuttal — 3 minutes
5. Matter is with the Task Force for motion and deliberation.
6. Public comment (Excluding Complainant & City response, witnesses) — Up to 3 minutes each
7. Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)

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SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

May 15, 2012 – 4:00 PM

GOVERNMENT DOCUMENTS DEPT
MAY 25 2016
SAN FRANCISCO PUBLIC LIBRARY

Regular Meeting

Members: Allyson Washburn (Chair), Richard Knee, Bruce Wolfe, Hope Johnson

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES** (00:00:00 - 00:08:46)

   The meeting was called to order at 4:01 p.m. Member Johnson was noted absent.

   Chair Washburn announced that File No. 11058 - Nick Pasquariello v Film Commission (Item 7) was withdrawn by the Complainant.

   Member Knee, seconded by Member Wolfe, moved to accept the agenda changes.

   The motion PASSED by the following vote.
   Ayes: 3 – Knee, Wolfe, Washburn
   Absent: 1 - Johnson

2. **Adoption of February 21, 2012, special meeting minutes.** (00:08:47 - 00:17:00)

   Member Wolfe, seconded by Member Knee, moved to approve the February 21, 2012 Minutes as Amended.

   Speakers: There were no speakers.

   The motion PASSED by the following vote.
   Ayes: 3 – Knee, Wolfe, Washburn
   Absent: 1 - Johnson

3. **Adoption of March 20, 2012, regular meeting minutes.** (00:17:00 - 00:19:08)

   Member Wolfe, seconded by Member Knee, moved to approve the March 20, 2012 Minutes as Amended.

Speakers: There were no speakers.

The motion PASSED by the following vote.
Ayes: 3 – Knee, Wolfe, Washburn
Absent: 1 - Johnson

4. **Adoption of March 29, 2012, special meeting minutes.** (00:19:08 - 00:24:43)

Member Knee, seconded by Member Wolfe, moved to approve the March 29, 2012 Minutes as Amended.

Speakers: There were no speakers.

The motion PASSED by the following vote.
Ayes: 3 – Knee, Wolfe, Washburn
Absent: 1 - Johnson

5. **Adoption of April 17, 2012, regular meeting minutes.** (00:24:45 - 00:33:15)

Member Wolfe, seconded by Member Knee, moved to approve the April 17, 2012 Minutes as Amended.

Speakers: There were no speakers.

The motion PASSED by the following vote.
Ayes: 3 – Knee, Wolfe, Washburn
Absent: 1 - Johnson

6. Proposed Sunshine Ordinance amendment regarding electronic document backup, storage and retrieval. (00:33:12 - 01:22:54)

Member Knee presented amendments, drafted by Members Wolfe and Costa. Member Wolfe provided an overview of the proposed amendment. Discussion followed over the use of word "organic" versus "original" in the proposed amendment. Members stated that the Ordinance should be written in layman's terms and legible.

Speakers: Jason Grant Garza spoke in opposition to the interpretation of the amendments. Ray Hartz, Jr. spoke expressing opposition to the use of the word organic in the amendments. David Pilpel expressed the terms need refining due to ambiguity.

Member Wolfe will draft a letter to the Deputy City Attorney, Jerry Threet, regarding this item and how to proceed in amending the Ordinance.

Member Knee, seconded by Member Wolfe, moved to refer the proposed Sunshine Ordinance amendment to the Task Force.

The motion PASSED by the following vote.
Ayes: 3 – Knee, Wolfe, Washburn

Absent: 1 - Johnson

7. **File No. 11058:** Continued hearing on the status of the November 29, 2011, Order of Determination of Nick Pasquariello v Film Commission.

Withdrawn by Complainant. See item No. 1, Agenda Changes.

8. **File No. 11081:** Continued hearing on the matter of scheduling a HIPAA (Health Insurance Portability and Accountability Act) expert to discuss a matter related to Jason Grant Garza v Department of Public Health. (01:23:01 - 01:35:22)

Member Wolfe stated the Order of Determination included instructions to obtain a HIPAA expert in order to educate the Committee in handling similar future complaints.

Member Knee, seconded by Member Wolfe, moved to CONTINUE to the CALL of the CHAIR.

Speakers: Peter Warfield expressed a HIPAA expert should be obtained. Jason Grant Garza expressed opposition to the Members interpretation of the Order of Determination.

The motion PASSED without objection.

9. **File No. 11098:** Hearing on complaint filed by Ray Hartz, Jr. against Luis Herrera, City Librarian for allegedly not including a brief written summary of comments into the minutes. (01:36:23 -01:54:32)

Ray Hartz (Complainant) provided an update of the complaint and responded to questions raised throughout the discussion. There were no speakers in support of the Complainant. The Respondent was not present to provide an update and respond to questions. There were no speakers in support of the Respondent. A question and answer period followed. Complainant provided a rebuttal.

Member Knee, seconded by Member Wolfe, moved to refer the matter to the Task Force with a recommendation that it be forwarded to the Ethics Commission.

Speakers: Peter Warfield spoke in support of the Complainant.

The motion PASSED by the following vote.
Ayes: 3 – Knee, Wolfe, Washburn
Absent: 1 - Johnson

10. **File No. 12001:** Hearing on complaint filed by the Library Users Association against the Arts Commission for allegedly redacting requested speaker cards information. (01:54:33 - 02:21:31)

Peter Warfield (Complainant) provided an update of the complaint and responded to questions raised throughout the discussion. There were no speakers in support of the Complainant. Kate Patterson (Respondent) provided an update and responded to questions

raised throughout the discussion. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal. Complainant provided a rebuttal.

The Respondent stated that the Arts Commission will provide a written statement, explaining why it will not release the information requested by the Complainant.

Member Knee, seconded by Member Wolfe, moved to refer the matter to the Task Force with a recommendation that it be forwarded to the Ethics Commission.

Speakers: Ray Hartz, Jr. spoke recommending that the complaint be referred to the Education, Outreach and Training Committee.

The motion PASSED by the following vote.
Ayes: 3 – Knee, Wolfe, Washburn
Absent: 1 - Johnson

11. **Public Comment** Members of the public may address the Compliance and Amendments Committee on matters that are within Sunshine Ordinance Task Force's jurisdiction but not on today's agenda. (01:11:02 - 01:23:00)

Speakers: Jason Garza, spoke expressing concern with his open complaints and additional records pertaining to his complaints. Ray Hartz, Jr. provided a presentation regarding his document request for the public library and donations made by Friends of the Library. Peter Warfield spoke in regard to the Sunshine Ordinance Task Force's ability to serve the public. David Pilpel suggested follow-up with the Ethics Commission for transition with the new Members of the Task Force.

12. **Administrator's Report** (2:21:00 - 2:30:21)

The Administrator presented the report.

Speaker: Peter Warfield spoke requesting additional detail in the Administrators report.

Member Wolfe spoke expressing opposition to speaker Peter Warfield's comment. Member Wolfe explained that the Administrator's Report is a report directed to the Task Force and its Committees and not the public.

13. **Announcements, Comments, Questions, and Future Agenda Items** (02:30:22)

Member Knee suggested appointing a new Member as the contact person on the proposed amendments to the Sunshine Ordinance to ensure it makes the ballot. Member Wolfe advised that the Rules Committee should take up Jason Grant Garza's issues pertaining to the Task Force's rulings of his complaints. Member Wolfe requested that the minutes of February 10, 2012 mark him as out on medical leave and not as absent.

Speakers: Ray Hartz, Jr. expressed Sunshine Ordinance section referring to150-word summary. Peter Warfield expressed concern with having deadlines for complainants and respondents to submit additional documents.

14. **ADJOURNMENT**

Member Knee, seconded by Member Wolfe, moved to ADJOURN.

There were no speakers. **The motion PASSED without objection.**

There being no further business, the Compliance and Amendments Committee adjourned at the hour of 6:45 p.m.

APPROVED: February 19, 2013

A Ausberry

Andrea Ausberry, Administrator
Sunshine Ordinance Task Force

SUNSHINE ORDINANCE
TASK FORCE

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-7724
Fax No. 415) 554-7854
TDD/TTY No. (415) 554-5227

NOTICE OF CANCELLED MEETING

COMPLIANCE AND AMENDMENTS COMMITTEE

SUNSHINE ORDINANCE TASK FORCE

NOTICE IS HEREBY GIVEN that the meeting of the Compliance and Amendments Committee scheduled for Tuesday, June 19, 2012, at 4:00 p.m., at 1 Dr. Carlton B. Goodlett Place, Room 408, City Hall, San Francisco, California, has been **cancelled**.

Andrea Ausberry, Administrator

POSTED: June 15, 2012

GOVERNMENT
DOCUMENTS DEPT
JUN 15 2012
SAN FRANCISCO
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SUNSHINE ORDINANCE
TASK FORCE

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San Francisco 94102-4689
Tel. No. (415) 554-7724
Fax No. (415) 554-7854
TDD/TTY No. (415) 554-5227

NOTICE OF CANCELLED MEETING

COMPLIANCE AND AMENDMENTS COMMITTEE

SUNSHINE ORDINANCE TASK FORCE

NOTICE IS HEREBY GIVEN that the regular meeting of the Compliance and Amendments Committee scheduled for Tuesday, July 17, 2012, at 4:00 p.m., 1 Dr. Carlton B. Goodlett Place, Room 408, City Hall, San Francisco, California, has been **cancelled**.

Andrea Ausberry, Administrator

POSTED: July 13, 2012

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SUNSHINE ORDINANCE TASK FORCE

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Andrea Ausberry, Administrator

POSTED: August 17, 2012

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SUNSHINE ORDINANCE TASK FORCE

NOTICE IS HEREBY GIVEN that the regular meeting of the Compliance and Amendments Committee scheduled for Tuesday, September 18, 2012, at 4:00 p.m., 1 Dr. Carlton B. Goodlett Place, Room 408, City Hall, San Francisco, California, has been **cancelled**.

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Andrea Ausberry, Administrator

POSTED: September 13, 2012

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NOTICE OF CANCELLED MEETING

COMPLIANCE AND AMENDMENTS COMMITTEE

SUNSHINE ORDINANCE TASK FORCE

NOTICE IS HEREBY GIVEN that the regular meeting of the Compliance and Amendments Committee scheduled for Tuesday, October 16, 2012, at 4:00 p.m., 1 Dr. Carlton B. Goodlett Place, Room 408, City Hall, San Francisco, California, has been **cancelled**.

Andrea Ausberry, Administrator

POSTED: October 15, 2012

http://www.sfgov.org/sunshine/

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SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

November 20, 2012 – 4:00 P.M.

Regular Meeting

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Members: Allyson Washburn (Chair), Richard Knee, Kitt Grant

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

2. **Adoption of May 15, 2012, regular meeting minutes** (Discussion and Action) *(attachment) (approximately 5 minutes)*

3. Reconsideration of **File No. 11008**: Hearing on complaint filed by William Clark against the Arts Commission regarding incomplete audio cassette tape of the January 12, 2011 Street Artists Program Committee meeting. (Discussion and Action) *(attachment) (approximately 15 minutes)*

4. **File No. 11068:** Hearing on complaint filed by Anonymous against the Planning Department for allegedly violating various sections of the Sunshine Ordinance. (Discussion and Action) *(attachment) (approximately 15 minutes)*

5. **File No. 11088**: Hearing on complaint filed by Ray Hartz against the Ethics Commission for allegedly failing to include his 150-word summary in the body of its meeting minutes. (Discussion and Action) *(attachment) (approximately 15 minutes)*

6. **File No. 12007:** Hearing on complaint filed by the Library Users Association against Supervisor Campos for allegedly responding late to an immediate disclosure request and redacting information from Bernal Heights Branch Library Mural related documents inappropriately. (Discussion and Action) *(attachment) (approximately 15 minutes)*

7. ***File No. 12008:** Hearing on complaint filed by Allen Grossman against Scott Minty, Information Systems Administrator, City Attorney's Office for allegedly failing to respond to records request. (Discussion and Action) *(attachment) (approximately 15 minutes)*

8. ***File No. 12009:** Hearing on complaint filed by Allen Grossman against Marisa Moret, Managing Attorney, City Attorney's Office for allegedly failing to respond to records request. (Discussion and Action) *(attachment) (approximately 15 minutes)*

9. ***File No. 12010**: Hearing on complaint filed by Allen Grossman against Susana Martinez, Chief Financial Officer, City Attorney's Office for allegedly failing to respond to records request. (Discussion and Action) *(attachment) (approximately 15 minutes)*

10. **Public Comment** Members of the public may address the Compliance and Amendments Committee on matters that are within Sunshine Ordinance Task Force's jurisdiction but not on today's agenda. (No Action). **Public Comment shall be taken one hour after meeting convenes.**

11. **Administrator's Report** (Discussion and Action*) (approximately 5 minutes)*

12. **Announcements, Comments, Questions, and Future Agenda Items** (No Action)

13. **ADJOURNMENT**

Agenda Item Information

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	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
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	Above total speaking times for Complainant and City to be the same.	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

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SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

November 20, 2012 – 4:00 P.M.

Regular Meeting

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Members: Allyson Washburn (Chair), Richard Knee, Kitt Grant

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

The meeting was called to order at 4:22 p.m. Member Grant was noted absent.

Member Knee, seconded by Chair Washburn, motioned to excuse Member Grant.

Speakers: Allen Grossman opposed the motion to excuse Member Grant; Ray Hartz, Jr., opposed the motion to excuse Member Grant.

The motion PASSED by the following vote:
Ayes: 2 - Knee, Washburn
Absent: 1 – Grant

2. **Adoption of May 15, 2012, regular meeting minutes.**

Member Knee, seconded by Chair Washburn, moved to CONTINUE the May 15, 2012 Minutes.

Speakers: None.

The motion PASSED by the following vote.
Ayes: 2 – Knee, Washburn
Excused: 1 - Grant

3. Reconsideration of **File No. 11008**: Hearing on complaint filed by William Clark against the Arts Commission regarding incomplete audio cassette tape of the January 12, 2011 Street Artists Program Committee meeting.

   William Clark (Complainant) provided an update of the complaint and responded to questions raised throughout the discussion. There were no speakers in support of the Complainant. Howard Lazar, Program Director, Arts Commission (Respondent) provided an update and responded to questions raised throughout the discussion. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal. Complainant provided a rebuttal.

   Due to lack of a motion, Compliance and Amendments Committee had NO FURTHER RECOMMENDATIONS.

   Speakers: Ray Hartz, Jr., expressed the Arts Commission is ultimately responsible for not providing audio and for the outstanding time it took to resolve the complaint.

4. **File No. 11068:** Hearing on complaint filed by Anonymous against the Planning Department for allegedly violating various sections of the Sunshine Ordinance.

   Anonymous (Complainant) was not present to provide an update of the complaint and respond to questions. There were no speakers in support of the Complainant. Planning Department (Respondent) provided an update and responded to questions raised throughout the discussion. There were no speakers in support of the Respondent. A question and answer period followed.

   The Respondent stated that all documents requested by Complainant were given to the Complainant. No further communication was made by Complainant.

   Member Knee, seconded by Chair Washburn, moved to CONTINUE to the CALL OF THE CHAIR.

   Speakers: None.

   The motion PASSED by the following vote.
   Ayes: 2 – Knee, Washburn
   Excused: 1 - Grant

5. **File No. 11088**: Hearing on the status of Order of Determination of Ray Hartz against the Ethics Commission for failing to include his 150-word summary in the body of its meeting minutes.

   Ray Hartz, Jr. (Complainant) provided an update of the complaint and responded to questions raised throughout the discussion. There were no speakers in support of the Complainant. The Respondent was not present to provide an update and respond to questions. There were no speakers in support of the Respondent. A question and answer period followed.

Respondent stated that the 150-word summary was eventually included in the body of the Ethics Commission meeting minutes.

Due to lack of a motion, Compliance and Amendments Committee had NO FURTHER RECOMMENDATIONS.

Speakers: Allen Grossman expressed concern regarding the absence of an Ethics Commission's representative and urged referring the matter back to the Task Force; Peter Warfield expressed the Task Force has broad powers to inform the public of the Sunshine Ordinance and find departments in violation of the Ordinance.

6. **File No. 12007:** Hearing on complaint filed by the Library Users Association against Supervisor Campos for allegedly responding late to an immediate disclosure request and redacting information from Bernal Heights Branch Library Mural related documents inappropriately.

Peter Warfield (Complainant) provided an update of the complaint and responded to questions raised throughout the discussion. There were no speakers in support of the Complainant. Stephanie Ashley, Office of Supervisor Campos (Respondent) provided an update and responded to questions raised throughout the discussion. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal. Complainant provided a rebuttal.

Member Knee, seconded by Chair Washburn, moved to refer the matter to the Task Force with a recommendation that it be forwarded to the Ethics Commission and the Education, Outreach and Training Committee to develop procedures regarding fulfilling public records requests.

Speakers: Allen Grossman expressed the that matter be referred to the Board of Supervisors; Ray Hartz, Jr., expressed that Peter Warfield's constitutional rights were violated and supported the matter being referred to the Task Force.

The motion PASSED by the following vote.
Ayes: 2 – Knee, Washburn
Excused: 1 – Grant

RECESS
5:55 p.m. – 6:05 p.m.

7. ***File No. 12008:** Hearing on the status of Order of Determination of Allen Grossman against Scott Minty, Information Systems Administrator, City Attorney's Office for allegedly failing to respond to records request.

Allen Grossman (Complainant) provided an update of the complaint and responded to questions raised throughout the discussion. There were no speakers in support of the Complainant. Jack Song, Office of the City Attorney (Respondent) provided an update and responded to questions raised throughout the discussion. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal. Complainant provided a rebuttal.

Member Knee, seconded by Chair Washburn, moved to refer the matter to the Task Force with a recommendation that it be forwarded to the Ethics Commission for willful failure to meet request and Order of Determination.

Speakers: None.

The motion PASSED by the following vote.
Ayes: 2 – Knee, Washburn
Excused: 1 – Grant

8. ***File No. 12009:** Hearing on the status of Order of Determination of Allen Grossman against Marisa Moret, Managing Attorney, City Attorney's Office for allegedly failing to respond to records request.

Allen Grossman (Complainant) provided an update of the complaint and responded to questions raised throughout the discussion. There were no speakers in support of the Complainant. Jack Song, Office of the City Attorney (Respondent) provided an update and responded to questions raised throughout the discussion. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal. Complainant provided a rebuttal.

Member Knee, seconded by Chair Washburn moved to refer the matter to the Task Force with a recommendation that it be forwarded to the Ethics Commission for willful failure to meet request and Order of Determination.

Speakers: None.

The motion PASSED by the following vote.
Ayes: 2 – Knee, Washburn
Excused: 1 – Grant

9. ***File No. 12010**: Hearing on the status of Order of Determination of Allen Grossman against Susana Martinez, Chief Financial Officer, City Attorney's Office for allegedly failing to respond to records request.

Allen Grossman (Complainant) provided an update of the complaint and responded to questions raised throughout the discussion. There were no speakers in support of the Complainant. Jack Song, Office of the City Attorney (Respondent) provided an update and responded to questions raised throughout the discussion. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal. Complainant provided a rebuttal.

Member Knee, seconded by Chair Washburn, moved to refer the matter to the Task Force with a recommendation that it be forwarded to the Ethics Commission for willful failure to meet request and Order of Determination.

Speakers: None.

The motion PASSED by the following vote.
Ayes: 2 – Knee, Washburn
Excused: 1 – Grant

10. **Public Comment.** Members of the public may address the Compliance and Amendments Committee on matters that are within Sunshine Ordinance Task Force's jurisdiction but not on today's agenda.

Speakers: Peter Warfield expressed that the Chair listen to the audio of Compliance and Amendments Committee and expressed concern regarding the Sunshine Ordinance Task Force's Attorney's budgeted time to attend the meetings; Ray Hartz, Jr., stated that he would go before the Board of Supervisors in January with Order of Determinations to highlight citywide agency violations of the Ordinance.

11. **Administrator's Report.**

The Administrator presented the report.

Speakers: None.

12. **Announcements, Comments, Questions, and Future Agenda Items.**

Member Knee shared that the Society of Professional Journalist will hold its Madison awards. Chair Washburn shared that the Ethics Commission will vote on the latest regulations governing the handling of complaints of violations of Sunshine Ordinance or referrals from Sunshine Ordinance Task Force.

13. **ADJOURNMENT**

Member Knee, seconded by Chair Washburn, moved to ADJOURN.

There were no speakers. **The motion PASSED without objection.**

There being no further business, the Compliance and Amendments Committee adjourned at the hour of 6:45 p.m.

APPROVED: April 16, 2013

Andrea Ausberry, Administrator
Sunshine Ordinance Task Force

Agenda Item Information

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4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
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7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

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NOTICE OF CANCELLED MEETING

COMPLIANCE AND AMENDMENTS COMMITTEE

SUNSHINE ORDINANCE TASK FORCE

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Andrea Ausberry, Administrator

POSTED: December 14, 2012

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SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

January 15, 2012 – 4:00 P.M.

Regular Meeting

Members: Allyson Washburn (Chair), Richard Knee, Kitt Grant

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1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

2. **Adoption of May 15, 2012, regular meeting minutes** (Discussion and Action) *(attachment) (approximately 5 minutes)*

3. **Adoption of November 20, 2012, regular meeting minutes** (Discussion and Action) *(attachment) (approximately 5 minutes)*

4. **File No. 11068:** Continued hearing on the status of April 17, 2012 Order of Determination of Anonymous against the Planning Department for allegedly violating various sections of the Sunshine Ordinance. (Discussion and Action) *(attachment) (approximately 15 minutes)*

5. **Public Comment** Members of the public may address the Compliance and Amendments Committee on matters that are within Sunshine Ordinance Task Force's jurisdiction but not on today's agenda. (No Action). **Public Comment shall be taken one hour after meeting convenes.**

6. **Administrator's Report** (Discussion and Action) *(approximately 5 minutes)*

7. **Announcements, Comments, Questions, and Future Agenda Items** (No Action)

8. **ADJOURNMENT**

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SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

January 15, 2013 – 4:00 P.M.

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MAY 2 5 2013
SAN FRANCISCO PUBLIC LIBRARY

Regular Meeting

Members: Allyson Washburn (Chair), Richard Knee, Kitt Grant

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

The meeting was called to order at 4:07 p.m. Member Grant was noted absent. Member Grant was noted present at 4:09 p.m.

Member Knee, seconded by Chair Washburn, moved to excuse Member Grant.

Speakers: None

The motion PASSED by the following vote:
Ayes: 2 - Knee, Washburn
Absent: 1 – Grant

2. **Adoption of May 15, 2012, regular meeting minutes.**

Member Knee, seconded by Member Washburn moved to CONTINUE the May 15, 2012 Minutes.

The motion PASSED by the following vote:
Ayes: 3 - Knee, Washburn, Grant

3. **Adoption of November 20, 2012, regular meeting minutes.**

Member Knee, seconded by Member Washburn moved to CONTINUE the November 20, 2012 Minutes.

The motion PASSED by the following vote:
Ayes: 3 - Knee, Washburn, Grant

4. **File No. 11068:** Continued hearing on the status of April 17, 2012 Order of Determination of Anonymous against the Planning Department for allegedly violating various sections of the Sunshine Ordinance.

   Anonymous (Complainant) provided an update of the complaint and responded to questions raised throughout the discussion. There were no speakers in support of the Complainant. Lu Quang, Planning Department (Respondent) provided an update and responded to questions raised throughout the discussion. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal. Complainant provided a rebuttal.

   Member Knee, seconded by Member Grant moved to refer the matter back to the Task Force with a recommendation that it is forwarded to the Ethics Commission.

   Speakers: None.

   The motion PASSED by the following vote:
   Ayes: 3 - Knee, Washburn, Grant

5. **Public Comment** Members of the public may address the Compliance and Amendments Committee on matters that are within Sunshine Ordinance Task Force's jurisdiction but not on today's agenda.

   Speakers: Anonymous expressed appreciation for the Task Force and implementing a Sunshine outreach program for youth; Female Speaker expressed her hope for closure with her pending complaint against the Arts Commission.

6. **Administrator's Report.**

   The Administrator presented the report.

   Speakers: None.

7. **Announcements, Comments, Questions, and Future Agenda Items**.

   Member Knee announced, he would be undergoing surgery and will not be in attendance for the February 6, 2013 meeting.

   Speakers: None.

8. **ADJOURNMENT**

   Member Knee, seconded by Member Grant, moved to ADJOURN.

   There were no speakers. **The motion PASSED without objection.**

   There being no further business, the Compliance and Amendments Committee adjourned at the hour of 5:01 p.m.

APPROVED: February 19, 2013

Andrea Ausberry, Administrator
Sunshine Ordinance Task Force

Agenda Item Information

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Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the hearing begins, written comments regarding the subject of the meeting or hearing. These comments will be made a part of the official public record.

Hearing Procedures

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking times for Complainant and City to be the same.	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

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SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

February 19, 2013 – 4:00 P.M.

Regular Meeting

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SAN FRANCISCO PUBLIC LIBRARY

Members: Allyson Washburn (Chair), Richard Knee, Kitt Grant

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

2. **Adoption of January 15, 2013, regular meeting minutes** (Discussion and Action) *(attachment) (approximately 5 minutes)*

3. **Adoption of November 20, 2012, regular meeting minutes** (Discussion and Action) *(attachment) (approximately 5 minutes)*

4. **Adoption of May 15, 2012, regular meeting minutes** (Discussion and Action) *(attachment) (approximately 5 minutes)*

5. **File No. 12013:** Hearing on the status of Order of Determination of William Clark against Howard Lazar, Arts Commission for not providing documents of expenses charged to the Street Artist Program for FY 2010-2011. (Discussion and Action) *(attachment) (approximately 15 minutes)*

6. **Public Comment** Members of the public may address the Compliance and Amendments Committee on matters that are within Sunshine Ordinance Task Force's jurisdiction but not on today's agenda. (No Action). **Public Comment shall be taken one hour after meeting convenes.**

7. **Administrator's Report** (Discussion and Action*) (approximately 5 minutes)*

8. **Announcements, Comments, Questions, and Future Agenda Items** (No Action)

9. **ADJOURNMENT**

Agenda Item Information

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3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

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SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

February 19, 2013 – 4:00 P.M.

Regular Meeting

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SAN FRANCISCO PUBLIC LIBRARY

Members: Allyson Washburn (Chair), Richard Knee, Kitt Grant

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

   The meeting was called to order at 4:07 p.m. Member Grant was noted absent. There was a quorum. Member Grant was noted present at 4:08 p.m.

2. **Adoption of January 15, 2013, regular meeting minutes**

   Member Washburn, seconded by Member Knee moved to adopt the January 15, 2013 Minutes.

   Speakers: None

   The motion PASSED by the following vote:
   Ayes: 3 - Knee, Washburn, Grant

3. **Adoption of November 20, 2012, regular meeting minutes**

   Member Washburn, seconded by Member Grant moved to CONTINUE the November 20, 2012 Minutes.

   Speakers: None

   The motion PASSED by the following vote:
   Ayes: 3 - Knee, Washburn, Grant

4. **Adoption of May 15, 2012, regular meeting minutes**

Member Grant, seconded by Member Knee moved to adopt the May 15, 2013 Minutes.

Speakers: None

The motion PASSED by the following vote:
Ayes: 3 - Knee, Washburn, Grant

5. **File No. 12013:** Hearing on the status of Order of Determination of William Clark against Howard Lazar, Arts Commission for not providing documents of expenses charged to the Street Artist Program for FY 2010-2011.

William Clark (Complainant) provided an update of the complaint and responded to questions raised throughout the discussion. Robert Clark spoke in support of the Complainant. Kate Patterson, Arts Commission (Respondent) provided an update and responded to questions raised throughout the discussion. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal. Complainant provided a rebuttal.

Member Grant, seconded by Member Knee moved to refer the matter back to the Task Force WITHOUT RECOMMENDATION.

Speakers: None.

The motion PASSED by the following vote:
Ayes: 3 - Knee, Washburn, Grant

6. **Public Comment** Members of the public may address the Compliance and Amendments Committee on matters that are within Sunshine Ordinance Task Force's jurisdiction but not on today's agenda.

Speakers: Robert Clark expressed concern for Street Artist Committee meetings refusing to answer questions regarding funds and fees; William Clark stated the Street Artist Commission has stated its budget will not be discussed in its public meetings.

7. **Administrator's Report.**

The Administrator presented the report.

Speakers: None.

8. **Announcements, Comments, Questions, and Future Agenda Items**.

Member Knee announced the local Society of Professional Journalists will host its James Madison Awards on March 12, 2012.

9. **ADJOURNMENT**

Member Knee, seconded by Member Grant, moved to ADJOURN.

There were no speakers. **The motion PASSED without objection.**

There being no further business, the Compliance and Amendments Committee adjourned at the hour of 5:38 p.m.

APPROVED: March 19, 2013

Andrea Ausberry, Administrator
Sunshine Ordinance Task Force

Agenda Item Information

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SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

March 19, 2013 – 4:00 P.M.

Regular Meeting

GOVERNMENT DOCUMENTS DEPT
MAR 14 2013
SAN FRANCISCO PUBLIC LIBRARY

Members: Allyson Washburn (Chair), Richard Knee, Kitt Grant

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

2. **Adoption of November 20, 2012, regular meeting minutes** (Discussion and Action) *(attachment) (approximately 5 minutes)*

3. **Adoption of February 19, 2013, regular meeting minutes** (Discussion and Action) *(attachment) (approximately 5 minutes)*

4. **File No. 12011:** Hearing on the status of Order of Determination of Lars Nyman against Frank Lee, Department of Public Works for providing requested records regarding the Montgomery - Alta Street Tree Project. (Discussion and Action) *(attachment) (approximately 15 minutes)*

5. **File No. 12012:** Hearing on the status of Determination of Lars Nyman against Frank Lee, Department of Public Works for not providing requested records and delayed response. (Discussion and Action) *(attachment) (approximately 15 minutes)*

6. **File No. 12038:** Hearing on the status of Order of Determination of William Clark against Controller, Ben Rosenfield for not providing legal authorities supporting that the Arts Commission can legally exceed amount budgeted to Street Artist Program and spend the surplus without an approved supplemental appropriation ordinance. (Discussion and Action) *(attachment) (approximately 15 minutes)*

7. **Public Comment** Members of the public may address the Compliance and Amendments Committee on matters that are within Sunshine Ordinance Task Force's jurisdiction but not on today's agenda. (No Action). **Public Comment shall be taken one hour after meeting convenes.**

8. **Administrator's Report** (Discussion and Action*) (approximately 5 minutes)*

9. **Announcements, Comments, Questions, and Future Agenda Items** (No Action)

10. **ADJOURNMENT**

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SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

March 19, 2013 – 4:00 P.M.

Regular Meeting

GOVERNMENT DOCUMENTS DEPT
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SAN FRANCISCO PUBLIC LIBRARY

Members: Allyson Washburn (Chair), Richard Knee, Kitt Grant

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

The meeting was called to order at 4:08 p.m. Member Grant was noted absent. There was a quorum. Member Grant was noted present at 4:18 a.m.

2. **Adoption of November 20, 2012, regular meeting minutes.**

Member Knee, seconded by Chair Washburn, moved to CONTINUE the November 20, 2012 Minutes.

Speakers: None

The motion PASSED by the following vote:
Ayes: 2 – Knee, Washburn
Absent: 1 – Grant

3. **Adoption of February 19, 2013, regular meeting minutes.**

Member Knee, seconded by Chair Washburn, moved to ADOPT the February 19, 2013 Minutes.

Speakers: None

The motion PASSED by the following vote:
Ayes: 2 – Knee, Washburn
Absent: 1 – Grant

4. **File No. 12011:** Hearing on the status of Order of Determination of Lars Nyman against Frank Lee, Department of Public Works for providing requested records regarding the Montgomery - Alta Street Tree Project.

   Complainant was not present for hearing.

   Member Knee, seconded by Member Grant, moved to CONTINUE the hearing of Complaint No. 12011.

   Speakers: None

   The motion PASSED by the following vote:
   Ayes: 3 – Knee, Grant, Washburn

5. **File No. 12012:** Hearing on the status of Determination of Lars Nyman against Frank Lee, Department of Public Works for not providing requested records and delayed response.

   Complainant was not present for hearing.

   Member Knee, seconded by Member Grant, moved to CONTINUE the hearing of Complaint No. 12012.

   Speakers: None

   The motion PASSED by the following vote:
   Ayes: 3 – Knee, Grant, Washburn

6. **File No. 12038:** Hearing on the status of Order of Determination of William Clark against Controller, Ben Rosenfield for not providing legal authorities supporting that the Arts Commission can legally exceed amount budgeted to Street Artist Program and spend the surplus without an approved supplemental appropriation ordinance.

   William Clark (Complainant) provided an update of the complaint and responded to questions raised throughout the discussion. There were no speakers in support of the Complainant. Monique Zmuda, Deputy Controller (Respondent) provided an update and responded to questions raised throughout the discussion. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal. Complainant provided a rebuttal.

   There was no motion.

   Speakers: Robert Clark expressed the Controller's Office was in violation of the Sunshine Ordinance; Mike Adderio expressed support for the Complainant.

   DUE TO LACK OF MOTION, MATTER CONCLUDED.

7. **Public Comment** Members of the public may address the Compliance and Amendments Committee on matters that are within Sunshine Ordinance Task Force's jurisdiction but not on today's agenda.

   Speakers: William Clark expressed concern with the method in which the Arts Commission revokes certificates to Street Artist Program; Robert Clark requested Task Force to listen to the Ethics Commission's determination of Howard Lazar, Art Commission; Mike Adderio expressed concern with Civil Grand Jury's report of findings regarding the failure of the Ethics Commission to enforce Sunshine Ordinance Task Force actions.

8. **Administrator's Report.**

   The Administrator presented the report.

   Speakers: None.

9. **Announcements, Comments, Questions, and Future Agenda Items**.

   There were no announcements, comments, questions and /or future agenda items.

10. **ADJOURNMENT**

    Member Knee, seconded by Member Grant, moved to ADJOURN.

    There were no speakers. **The motion PASSED without objection.**

    There being no further business, the Compliance and Amendments Committee adjourned at the hour of 5:32 p.m.

APPROVED: April 16, 2013

A Ausberry

Andrea Ausberry, Administrator
Sunshine Ordinance Task Force

Agenda Item Information

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Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the hearing begins, written comments regarding the subject of the meeting or hearing. These comments will be made a part of the official public record.

Hearing Procedures

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking times for Complainant and City to be the same.	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

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SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

April 16, 2013 – 4:00 P.M.

Regular Meeting

GOVERNMENT DOCUMENTS DEPT
APR 11 2013
SAN FRANCISCO PUBLIC LIBRARY

Members: Allyson Washburn (Chair), Richard Knee, Kitt Grant

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**
2. **Adoption of November 20, 2012, regular meeting minutes** (Discussion and Action) *(attachment) (approximately 5 minutes)*
3. **Adoption of March 19, 2013, regular meeting minutes** (Discussion and Action) *(attachment) (approximately 5 minutes)*
4. **File No. 12011:** Hearing on the status of Order of Determination of Lars Nyman against Frank Lee, Department of Public Works for providing requested records regarding the Montgomery - Alta Street Tree Project. (Discussion and Action) *(attachment) (approximately 30 minutes)*
5. **File No. 12012:** Hearing on the status of Determination of Lars Nyman against Frank Lee, Department of Public Works for not providing requested records and delayed response. (Discussion and Action) *(attachment) (approximately 30 minutes)*
6. **Public Comment** Members of the public may address the Compliance and Amendments Committee on matters that are within Sunshine Ordinance Task Force's jurisdiction but not on today's agenda. (No Action). **Public Comment shall be taken one hour after meeting convenes.**
7. **Administrator's Report** (Discussion and Action*) (approximately 5 minutes)*
8. **Announcements, Comments, Questions, and Future Agenda Items** (No Action)
9. **ADJOURNMENT**

Agenda Item Information

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SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

April 16, 2013 – 4:00 P.M.

04-15-13A10:58 RCVD

Regular Meeting

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APR 15 2013
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Members: Allyson Washburn (Chair), Richard Knee, Kitt Grant

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

2. **Adoption of November 20, 2012, regular meeting minutes** (Discussion and Action) *(attachment) (approximately 5 minutes)*

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7. **Administrator's Report** (Discussion and Action) *(approximately 5 minutes)*

8. **Announcements, Comments, Questions, and Future Agenda Items** (No Action)

9. **ADJOURNMENT**

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SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

April 16, 2013 – 4:00 P.M.

GOVERNMENT DOCUMENTS DEPT
MAY 2 5 2013
SAN FRANCISCO PUBLIC LIBRARY

Regular Meeting

Members: Allyson Washburn (Chair), Richard Knee, Kitt Grant

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

   The meeting was called to order at 4:13 p.m. There was a quorum.

2. **Adoption of November 20, 2012, regular meeting minutes.**

   Member Knee, seconded by Member Grant, moved to ADOPT the November 20, 2012 Minutes.

   Speakers: None

   The motion PASSED by the following vote:
   Ayes: 3 – Knee, Grant, Washburn

3. **Adoption of March 19, 2013, regular meeting minutes.**

   Member Knee, seconded by Member Grant, moved to ADOPT the March 19, 2013 Minutes.

   Speakers: None

   The motion PASSED by the following vote:
   Ayes: 3 – Knee, Grant, Washburn

4. **File No. 12011:** Hearing on the status of Order of Determination of Lars Nyman against Frank Lee, Department of Public Works for not providing requested records regarding the Montgomery - Alta Street Tree Project.

   Second no-show by Complainant.

   Due to lack of a motion, the Compliance and Amendments Committee CONCLUDED the Matter.

5. **File No. 12012:** Hearing on the status of Determination of Lars Nyman against Frank Lee, Department of Public Works for not providing requested records and delayed response.

   Second no-show by Complainant.

   Due to lack of a motion, the Compliance and Amendments Committee CONCLUDED the Matter.

6. **Public Comment** Members of the public may address the Compliance and Amendments Committee on matters that are within Sunshine Ordinance Task Force's jurisdiction but not on today's agenda.

   Speakers: None

7. **Administrator's Report.**

   The Administrator presented the report.

   Speakers: None.

8. **Announcements, Comments, Questions, and Future Agenda Items**.

   Member Knee requested the Task Force support Senate Bill 52 and Assembly Bill AB400; Chair Washburn recommended press releases for Task Force endorsements e.g., Senate Bill 52 and Assembly Bill 400.

9. **ADJOURNMENT**

   Member Knee, seconded by Member Grant, moved to ADJOURN.

   There were no speakers. **The motion PASSED without objection.**

   There being no further business, the Compliance and Amendments Committee adjourned at the hour of 4:26 p.m.

APPROVED: 06/18/2013

Victor Young

Victor Young
Administrator,
Sunshine Ordinance Task Force

SUNSHINE ORDINANCE
TASK FORCE

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-7724
Fax No. (415) 554-7854
TDD/TTY No. (415) 554-5227

NOTICE OF CANCELLED MEETING

COMPLIANCE AND AMENDMENTS COMMITTEE

SUNSHINE ORDINANCE TASK FORCE

NOTICE IS HEREBY GIVEN that the regular meeting of the Compliance and Amendments Committee scheduled for, May 21, 2013, at 4:00 p.m., 1 Dr. Carlton B. Goodlett Place, Room 408, City Hall, San Francisco, California, has been **cancelled**.

Andrea Ausberry, Administrator

05-06-13P03:04 RCVD

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MAY - 6 2013

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POSTED: May 6, 2013

SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

June 18, 2013 – 4:00 P.M.

06-12-13A11:49 RCVD

Regular Meeting

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JUN 12 2013
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Members: Allyson Washburn (Chair), Richard Knee, Kitt Grant

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**
2. **Adoption of April 16, 2013, regular meeting minutes** (Discussion and Action) *(attachment) (approximately 5 minutes)*
3. **File No. 12049:** Hearing on the status of the Order of Determination of Ray Hartz, Jr. against John St. Croix, Executive Director, Ethics Commission for allegedly committing multiple violations of its July 23, 2012 minutes. (Discussion and Action) *(attachment) (approximately 30 minutes)*
4. **Public Comment** Members of the public may address the Compliance and Amendments Committee on matters that are within Sunshine Ordinance Task Force's jurisdiction but not on today's agenda. (No Action). **Public Comment shall be taken one hour after meeting convenes.**
5. **Administrator's Report** (Discussion and Action*) (approximately 5 minutes)*
6. **Announcements, Comments, Questions, and Future Agenda Items** (No Action)
7. **ADJOURNMENT**

Agenda Item Information

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Hearing Procedures

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
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	Above total speaking times for Complainant and City to be the same.	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
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SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

June 18, 2013 – 4:00 P.M.

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT
MAY 2 5 2013
SAN FRANCISCO
PUBLIC LIBRARY

Members: Allyson Washburn (Chair), Richard Knee, Kitt Grant

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

   The meeting was called to order at 4:05 p.m. There was a quorum.

2. **Adoption of April 16, 2013, regular meeting minutes.**

   Member Knee, seconded by Member Grant, moved to ADOPT the April 16, 2013 Minutes.

   Speakers: None

   The motion PASSED by the following vote:
   Ayes: 3 – Knee, Grant, Washburn

3. **File No. 12049:** Hearing on the status of the Order of Determination of Ray Hartz, Jr. against John St. Croix, Executive Director, Ethics Commission for allegedly committing multiple violations of its July 23, 2012 minutes.

   Ray Hartz, Jr. (Complainant) provided an update of the complaint and responded to questions raised throughout the discussion. There were no speakers in support of the Complainant. John St. Croix, Executive Director, Ethics Commission (Respondent) provided an update and responded to questions raised throughout the discussion. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal. Complainant provided a rebuttal.

   Member Grant, seconded by Member Knee moved to CONCLUDE the matter.

   Speakers: None.

The motion PASSED without objection.

4. **Public Comment.**

Speaker: Ray Hartz expressed concern with city boards and commissions abridging public comment.

5. **Administrator's Report.**

The Administrator presented the report.

Speakers: None.

6. **Announcements, Comments, Questions, and Future Agenda Items**.

Member Knee urged all to contact Governor Brown to veto Senate Bill 71.

7. **ADJOURNMENT**

Member Knee, seconded by Member Grant, moved to ADJOURN.

There were no speakers. **The motion PASSED without objection.**

There being no further business, the Compliance and Amendments Committee adjourned at the hour of 4:33 p.m.

APPROVED: 07/16/2013

Victor Young

Victor Young
Administrator
Sunshine Ordinance Task Force

SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

July 16, 2013 – 4:00 P.M.

07-10-13P01:06 RCVD

Regular Meeting

GOVERNMENT DOCUMENTS DEPT
JUL 10 2013
SAN FRANCISCO PUBLIC LIBRARY

Members: Allyson Washburn (Chair), Richard Knee, Kitt Grant

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

2. **Adoption of June 18, 2013, regular meeting minutes** (Discussion and Action) *(attachment) (approximately 5 minutes)*

3. **File No. 12058:** Hearing on the status of the Order of Determination of Dominic Maionchi against Recreation and Park for allegedly failing to provide records requested pertaining to berthing contracts between the City and County of San Francisco and slip holders. (Discussion and Action) *(attachment) (approximately 30 minutes)*

4. **Public Comment** Members of the public may address the Compliance and Amendments Committee on matters that are within Sunshine Ordinance Task Force's jurisdiction but not on today's agenda. (No Action). **Public Comment shall be taken one hour after meeting convenes.**

5. **Administrator's Report** (Discussion and Action) *(approximately 5 minutes)*

6. **Announcements, Comments, Questions, and Future Agenda Items** (No Action)

7. **ADJOURNMENT**

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7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

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SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

July 16, 2013 – 4:00 P.M.

Regular Meeting

GOVERNMENT DOCUMENTS DEPT
MAY 2 5 2017
SAN FRANCISCO PUBLIC LIBRARY

Members: Allyson Washburn (Chair), Richard Knee, Kitt Grant

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

The meeting was called to order at 4:10 p.m. There was a quorum.

2. **Adoption of June 18, 2013, regular meeting minutes.**

Member Knee, seconded by Member Grant, moved to ADOPT the June 18, 2013 Minutes.

Speakers: Ray Hartz expressed concern with the vagueness of the minutes.

The motion PASSED by the following vote:
Ayes: 3 – Knee, Grant, Washburn

3. **File No. 12058:** Hearing on the status of the Order of Determination of Dominic Maionchi against Recreation and Park for allegedly failing to provide records requested pertaining to berthing contracts between the City and County of San Francisco and slip holders.

Dominic Maionchi (Complainant) stated the Respondent provided the same documents provided in original records request, which do not comply with the Order of Determination. Complainant responded to questions raised throughout the discussion. There were no speakers in support of the Complainant. Olive Gong, Recreation and Park (Respondent) stated the California Government Code upholds the Recreation and Park's decision to redact documents provided to the Complainant and not disclose others. Respondent responded to questions raised throughout the discussion. There were no speakers in support of the Respondent. A question and answer period followed. Respondent declined rebuttal. Complainant provided a rebuttal.

Member Knee, seconded by Member Grant, moved to refer the matter back to the Task Force with a recommendation of referral to Ethics Commission for enforcement for violating S.O. Secs. 67.34, 67.26 and 67.21(i); for Chair to draft a letter to the City Attorney stating the Recreation and Park's attorney is in violation of S.O. Sec. 67.21 (i).

Speakers: Ray Hartz expressed support of the motion; Peter Warfield expressed Recreation and Park director should also be held responsible for department's failure to adhere to request.

The motion PASSED by the following vote:
Ayes: 3 – Knee, Grant, Washburn

4. **Public Comment.**

Ray Hartz expressed concern with decisions to have complaints referred to Education, Outreach and Training Committee (EOTC); doubts Chair ability to remain objective and has a history of concluding complaints.

5. **Administrator's Report.**

The Administrator presented the report.

Speakers: None.

6. **Announcements, Comments, Questions, and Future Agenda Items.**

Member Knee announced an event focused on upholding the people's right to know, to take place on July 17, 2013; Knee will not be in attendance for the September Task Force meeting.

7. **ADJOURNMENT**

Member Knee, seconded by Member Grant, moved to ADJOURN.

There were no speakers. **The motion PASSED without objection.**

There being no further business, the Compliance and Amendments Committee adjourned at the hour of 5:48 p.m.

APPROVED: 08/20/2013

Victor Young

Victor Young
Administrator
Sunshine Ordinance Task Force

SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

09-16-13A11:52 RCVD

August 20, 2013 – 4:00 P.M.

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT
AUG 16 2013
SAN FRANCISCO
PUBLIC LIBRARY

Members: Allyson Washburn (Chair), Richard Knee, Kitt Grant

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

2. **Adoption of July 16, 2013, Regular Meeting Minutes.** (Discussion and Action) *(attachment) (approximately 5 minutes)*

3. **File No. 12056:** Hearing on the status of the Order of Determination of Allen Grossman against John St. Croix, Executive Director, Ethics Commission for allegedly failing to justify withholding unidentified public records as exempt under provisions of the Sunshine Ordinance. (Discussion and Action) *(attachment) (approximately 30 minutes)*

4. **File No. 12059:** Hearing on the status of the Order of Determination of Supreet Pabla, SEIU Local 1022 against Human Services Agency for allegedly failing to provide records requested relevant to the representation of the bargaining unit's employees. (Discussion and Action) *(attachment) (approximately 30 minutes)*

5. **Public Comment:** Members of the public may address the Compliance and Amendments Committee on matters that are within Sunshine Ordinance Task Force's jurisdiction but not on today's agenda. (No Action). **Public Comment shall be taken one hour after meeting convenes.**

6. **Administrator's Report.** (Discussion and Action*) (approximately 5 minutes)*

7. **Announcements, Comments, Questions, and Future Agenda Items.** (No Action)

8. **ADJOURNMENT**

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4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
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SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

August 20, 2013 – 4:00 P.M.

Regular Meeting

GOVERNMENT DOCUMENTS DEPT
MAY 2 5 2014
SAN FRANCISCO PUBLIC LIBRARY

Members: Allyson Washburn (Chair), Richard Knee, Kitt Grant

1. **Call to order, roll call, and agenda changes.**

   The meeting was called to order at 4:00 p.m. Member Grant was noted absent. There was a quorum.

   Member Knee, seconded by Member Washburn, moved to EXCUSE Member Grant.

   Speakers: None.

   There were no speakers. **The motion PASSED without objection.**

2. **Adoption of July 16, 2013, Regular Meeting Minutes.**

   Member Knee, seconded by Member Washburn, moved to ADOPT the July 16, 2013 minutes as corrected.

   Speakers: None.

   The motion PASSED by the following vote:
   Ayes: 2 – Knee, Washburn
   Excused: 1 – Grant

3. **File No. 12056:** Hearing on the status of the Order of Determination of Allen Grossman against John St. Croix, Executive Director, Ethics Commission for allegedly failing to justify withholding unidentified public records as exempt under provisions of the Sunshine Ordinance.

Allen Grossman (Complainant) stated the Ethics Commission has not released the records he originally requested, failing to comply with the Order of Determination. The Complainant responded to questions raised throughout the discussion. There were no speakers in support of the Complainant. Garrett Chatfield, Ethics Commission (Respondent) stated the records the Complainant requested are exempt from disclosure and is the reason the records have been withheld. There were no speakers in support of the Respondent. A question and answer period followed. Respondent waived rebuttal. Complainant provided a rebuttal.

Member Knee, seconded by Member Washburn, moved to refer the matter back to the Task Force with a recommendation of referral to Ethics Commission and the Board of Supervisors for John St. Croix, Executive Director, Ethics Commission failure to comply with the Order of Determination.

Speakers: None.

The motion PASSED by the following vote:
Ayes: 2 – Knee, Washburn
Excused: 1 – Grant

4. **File No. 12059:** Hearing on the status of the Order of Determination of Supreet Pabla, SEIU Local 1022 against Human Services Agency for allegedly failing to provide records requested relevant to the representation of the bargaining unit's employees.

Supreet Pabla (Complainant) stated the Human Services Agency has partially complied with the Order of Determination. The Complainant responded to questions raised throughout the discussion. Dan Phillips, spoke in support of the Complainant. Luanne Kim, Human Services Agency (Respondent) stated the records the Complainant requested do not exist, for example the Human Services Agency does not keep records of its parking facilities by union occupancy. There were no speakers in support of the Respondent. A question and answer period followed. Respondent waived rebuttal. Complainant provided a rebuttal.

Member Knee, seconded by Member Washburn, moved to refer the matter back to the Task Force with a recommendation of referral to Ethics Commission for the Human Services Agency's failure to comply with the Order of Determination.

Speakers: None.

The motion PASSED by the following vote:
Ayes: 2 – Knee, Washburn
Excused: 1 – Grant

5. **Public Comment.**

Speakers: None.

6. **Administrator's Report.**

The Administrator presented the report.

Speakers: None.

7. **Announcements, Comments, Questions, and Future Agenda Items.**

Member Knee announced he would not be in attendance for the September Compliance and Amendments Committee meeting.

8. **ADJOURNMENT**

Member Knee, seconded by Member Washburn, moved to ADJOURN.

There were no speakers. **The motion PASSED without objection.**

There being no further business, the Compliance and Amendments Committee adjourned at the hour of 4:51 p.m.

APPROVED: 09/17/2013

Victor Young

Victor Young
Administrator
Sunshine Ordinance Task Force

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4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
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SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

September 17, 2013 – 4:00 P.M.

Regular Meeting

Members: Allyson Washburn (Chair), Richard Knee, Kitt Grant

GOVERNMENT DOCUMENTS DEPT
SEP 12 2013
SAN FRANCISCO PUBLIC LIBRARY

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

2. **Adoption of August 20, 2013, Regular Meeting Minutes.** (Discussion and Action) *(attachment) (approximately 5 minutes)*

3. **File No. 13013:** Hearing on the status of the Order of Determination of Ray Hartz Jr., against Luis Herrera, City Librarian for allegedly abridging public comment by allowing selective accessibility of library audio visual equipment. (Discussion and Action) *(attachment) (approximately 30 minutes)*

4. **Public Comment:** Members of the public may address the Compliance and Amendments Committee on matters that are within Sunshine Ordinance Task Force's jurisdiction but not on today's agenda. (No Action). **Public Comment shall be taken after action is taken on the last hearing item or half an hour after the meeting convenes.**

5. **Administrator's Report.** (Discussion and Action*) (approximately 5 minutes)*

6. **Announcements, Comments, Questions, and Future Agenda Items.** (No Action)

7. **ADJOURNMENT**

Agenda Item Information

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Hearing Procedures

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SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

September 17, 2013 – 4:00 PM

Regular Meeting

GOVERNMENT DOCUMENTS DEPT
DEC 23 2013
SAN FRANCISCO PUBLIC LIBRARY

Members: Allyson Washburn (Chair), Richard Knee, Kitt Grant

1. **Call to order, roll call, and agenda changes.**

The meeting was called to order at 4:17 p.m. Member Knee was noted absent. There was a quorum.

Speakers: None.

2. **Adoption of August 20, 2013, Regular Meeting Minutes.**

Chair Washburn, seconded by Member Grant, moved to ADOPT the August 20, 2013, minutes as corrected.

Speakers: None.

The motion PASSED by the following vote:
Ayes: 2 – Grant, Washburn
Absent: 1 – Knee

3. **File No. 13013:** Hearing on the status of the Order of Determination of Ray Hartz Jr., against Luis Herrera City Librarian for allegedly abridging public comment by allowing selective accessibility of library audio visual equipment.

Ray Hartz, Jr., (Complainant) stated the Library has not allowed access to its audio visual equipment, failing to comply with the Order of Determination. The Complainant stated the impact of having audio visual equipment could be damaging to the Library, when used to inform the public of the $53 million the Library cannot account for. There were no speakers in support of the Complainant. Michael Jeffers, Library (Respondent) referred the committee to the Library's letter dated September 12, 2013, stating the Library

Commission voted 6-0 to bar use of Library-provided audio-visual equipment for public comment, because allowing members of the public to use audio-visuals during public comment would require the Library to expend significant resources to make the necessary accommodations to modify the technology set up that the Library uses. There were no speakers in support of the Respondent. A question-and-answer period followed. Respondent waived rebuttal opportunity. Complainant provided a rebuttal.

Member Grant, seconded by Chair Washburn, moved to refer the matter back to the Task Force with notice to be sent requiring the City Librarian to attend the Task Force's next proceedings on the matter; recommendation of referral to Ethics Commission.

Speakers: Male speaker discussed the San Francisco Library's budget of $100.5 million.

The motion PASSED by the following vote:
Ayes: 2 – Grant, Washburn
Absent: 1 – Knee

4. **Public Comment.**

Ray Hartz said that compared to other commissions the Library Commission is not open and transparent; Male Speaker addressed the constitutional framework of First Amendment law.

5. **Administrator's Report.**

The Administrator presented the report.

Speakers: None.

6. **Announcements, Comments, Questions, and Future Agenda Items.**

Chair Washburn stated future agenda items may address amendments to the Sunshine Ordinance.

7. **ADJOURNMENT**

Chair Washburn, seconded by Member Grant, moved to ADJOURN.

There were no speakers. **The motion PASSED without objection.**

There being no further business, the Compliance and Amendments Committee adjourned at 4:53 p.m.

APPROVED: November 19, 2013

Victor Young, Administrator
Sunshine Ordinance Task Force

10-10-13P03:55 RCVD

SUNSHINE ORDINANCE
TASK FORCE

City Hall
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San Francisco 94102-4689
Tel. No. (415) 554-7724
Fax No. (415) 554-7854
TDD/TTY No. (415) 554-5227

NOTICE OF CANCELLED MEETING

COMPLIANCE AND AMENDMENTS COMMITTEE

SUNSHINE ORDINANCE TASK FORCE

, 28

15/13
cancelled

NOTICE IS HEREBY GIVEN that the regular meeting of the Compliance and Amendments Committee scheduled for, October 15, 2013, at 4:00 p.m., 1 Dr. Carlton B. Goodlett Place, Room 408, City Hall, San Francisco, California, has been **cancelled**.

Andrea Ausberry, Administrator

GOVERNMENT
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OCT 10 2013

SAN FRANCISCO
PUBLIC LIBRARY

POSTED: October 10, 2013

SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

GOVERNMENT DOCUMENTS DEPT
NOV 14 2013
SAN FRANCISCO PUBLIC LIBRARY

November 19, 2013 – 4:00 P.M.

Regular Meeting

Members: Allyson Washburn (Chair), Richard Knee, Kitt Grant

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

2. **Adoption of September 17, 2013, regular meeting minutes** (Discussion and Action) *(attachment) (approximately 5 minutes)*

3. **File No. 13024:** Hearing on the status of the Order of Determination of Mica Ringel against the Planning Department for allegedly failing to provide requested records associated with the proposed development of 480 Potrero Avenue. (Discussion and Action) *(attachment) (approximately 30 minutes)*

4. **Public Comment** Members of the public may address the Compliance and Amendments Committee on matters that are within Sunshine Ordinance Task Force's jurisdiction but not on today's agenda. (No Action). **Public Comment shall be taken after action is taken on the last hearing item or half an hour after the meeting convenes.**

5. **Administrator's Report** (Discussion and Action*) (approximately 5 minutes)*

6. **Announcements, Comments, Questions, and Future Agenda Items** (No Action)

7. **ADJOURNMENT**

Agenda Item Information

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SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

November 19, 2013 – 4:00 P.M.

Regular Meeting

8.28
11/19/13

Members: Allyson Washburn (Chair), Richard Knee, Kitt Grant

GOVERNMENT DOCUMENTS DEPT
DEC 23 2013
SAN FRANCISCO PUBLIC LIBRARY

1. **Call to order, roll call, and agenda changes.**

   The meeting was called to order at 4:03 p.m. There was a quorum.

2. **Adoption of September 17, 2013, Meeting Minutes.**

   Member Knee, seconded by Member Grant, moved to ADOPT the September 17, 2013 minutes as corrected.

   Speakers: None.

   The motion PASSED by the following vote:

   Ayes: 3 – Knee, Grant, Washburn

3. **File No. 13024:** Hearing on the status of the Order of Determination of Mica Ringel against the Planning Department for allegedly failing to provide requested records associated with the proposed development of 480 Potrero Avenue.

   Mica Ringel (Complainant) stated that the Planning Department has not provided all of the requested records associated with the proposed development at 480 Potrero Avenue, thus failing to comply with the Order of Determination. The Complainant stated the Planning Department had provided additional documents but that he still considered the documents incomplete. There were no speakers in support of the Complainant. Don Lewis, Nannie Turrell, Lulu Hwang, and Ben Fu, Planning Department (Respondent) stated that all available records have been provided to the Complainant. Non-substantive documents that were not placed into the administrative record and are not available. The Planning Department is working with the Department of Technology department to retrieve deleted emails. There were no speakers in support of the Respondent. A question and answer

period followed. The Respondent provided a rebuttal. The Complainant provided a rebuttal.

Speakers: David Pilpel, SOTF Member, summarized the issue and provided information regarding administrative records and the definition of records.

Member Knee, seconded by Chair Washburn, moved to refer the matter back to the Task Force with a recommendation for consideration of referral to Ethics Commission.

Speakers: David Pilpel, SOTF Member, suggested that additional direction and clarification to the Complainant and Respondent to assist the parties in resolving the issue.

The motion PASSED by the following vote:
Ayes: 3 – Knee, Grant, Washburn

4. **Public Comment**

Speakers: Louise Fischer, SOTF Member, thanked the Compliance and Amendments Committee for its hard work; David Pilpel, SOTF Member, noted the passing of Anita Sanchez, former Civil Service Commission Executive Officer.

5. **Administrator's Report.**

SOTF Administrator Victor Young presented the Administrator's Report.

Speakers: None.

6. **Announcements, Comments, Questions, and Future Agenda Items**.

There were no items.

7. **ADJOURNMENT**

Member Knee, seconded by Member Grant, moved to ADJOURN.

Speakers: None.

The motion PASSED without objection.

There being no further business, the Compliance and Amendments Committee adjourned at 5:21 p.m.

APPROVED: December 17, 2013

Victor Young

Victor Young, Administrator
Sunshine Ordinance Task Force

SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

December 17, 2013 – 4:00 P.M.

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT
DEC 13 20
SAN FRANCISCO
PUBLIC LIBRARY

Members: Allyson Washburn (Chair), Richard Knee, Kitt Grant

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

2. **Adoption of November 19, 2013 regular meeting minutes** (Discussion and Action) *(attachment) (approximately 5 minutes)*

3. **File No. 13021:** Hearing on the status of the Order of Determination of Patrick Monette-Shaw and Maria Rivero, MD against the Public Health Commission for allegedly violating Sunshine Ordinance §§ 67.7(a), 67.7(b), and 67.9(a); failing to notice members of the public, and noticing a deficient agenda. (*Discussion and Action*) *(attachment) (approximately 30 minutes)*

4. **Public Comment** Members of the public may address the Compliance and Amendments Committee on matters that are within Sunshine Ordinance Task Force's jurisdiction but not on today's agenda. (No Action). **Public Comment shall be taken after action is taken on the last hearing item or half an hour after the meeting convenes.**

5. **Administrator's Report** (Discussion and Action*) (approximately 5 minutes)*

6. **Announcements, Comments, Questions, and Future Agenda Items** (No Action)

7. **ADJOURNMENT**

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Lobbyist Registration and Reporting Requirements

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SUNSHINE ORDINANCE TASK FORCE
Compliance and Amendments Committee
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

December 17, 2013 – 4:00 P.M.

Regular Meeting

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Members: Allyson Washburn (Chair), Richard Knee, Kitt Grant

1. **Call to order, roll call, and agenda changes.**

The meeting was called to order at 4:15 p.m. All members were noted present. There was a quorum.

2. **Adoption of November 19, 2013, Meeting Minutes.**

Member Knee, seconded by Member Grant, moved to ADOPT the November 19, 2013, minutes as corrected.

Speakers: David Pilpel, SOTF Member, provided suggested amendments to the November 19, 2013, minutes of the Compliance and Amendment Committee.

The motion PASSED by the following vote:

Ayes: 3 – Knee, Grant, Washburn
Noes: 0 – None.

3. **File No. 13021:** Hearing on the status of the Order of Determination of Patrick Monette-Shaw and Maria Rivero, MD against the Public Health Commission for allegedly violating Sunshine Ordinance §§ 67.7(a), 67.7(b), and 67.9(a); failing to notice members of the public, and noticing a deficient agenda.

Dr. Derek Kerr, speaking on behalf of Dr. Maria Rivero, (Complainant) stated that the Public Health Commission changes to procedures and agenda format complies with the Order of Determination. There were no speakers in support of the Complainant. Mark Morewitz, Health Commission Executive Secretary (Respondent), summarized the steps taken by the Public Health Commission to comply with the Sunshine Ordinance Task

Force's Order of Determination. There were no speakers in support of the Respondent. A question and answer period followed. The Respondent declined rebuttal. The Complainant provided a rebuttal.

Speakers: David Pilpel, Member SOTF, expressed concerns regarding standardizing agenda and minutes, noting that attachments are available, closed session format and numbering of items on the online agenda.

Due to a lack of a motion, the MATTER CONCLUDED.

***The following information is provided by a speaker, pursuant to Administrative Code Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Sunshine Ordinance Task Force.**

Derek Kerr, MD and Maria Rivero, MD submitted the following additional information for Public Comment as Follows:

"All City agencies try to withhold embarrassing information. The Health Commission (HC) tried to bury the public commendation - required by my settlement with the City - in a non-descript agenda item titled "LHH Update".

Sonia Melara, President of the HC, is responsible for setting and approving HC agendas. Mr. Morewitz, who was always respectful of us and the public, is a loyal Secretary for the HC. He does what the HC wants.

The HC did not want my settlement publicized.

The changes in the HC agendas shown today will make it harder to hide facts that the public should know, and that the Sunshine Ordinance requires disclosed. Dr. Rivero and I believe these improvements are generally responsive to your Order of Determination. "

4. **Public Comment.**

There were no speakers.

5. **Administrator's Report.**

Victor Young, SOTF Administrator, stated there were no items pending before the Compliance and Amendments Committee.

Speakers: None.

6. **Announcements, Comments, Questions, and Future Agenda Items**

Chair Washburn, cancelled the January 21, 2014, Compliance and Amendments Committee meeting.

Member Knee announced that the Society of Professional Journalist Northern California Chapter is accepting nomination for its James Madison Award to individuals or organizations for work in relation to the first amend and/or freedom of information. More information is available at www.spjnorcal.org.

7. **ADJOURNMENT**

There being no further business, the Compliance and Amendments Committee adjourned at the hour of 4:23 p.m.

APPROVED: April 15, 2014

Victor Young

Victor Young, Administrator
Sunshine Ordinance Task Force

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